Peruvian Mining Project Challenged

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Peruvian President Ollanta Humala’s strategy to deal with the fierce opposition to a mining project from the residents of Islay province in the southern region of Arequipa will do more to polarize the country and reduce citizen support of his administration than it will to resolve the conflict. The mining project would affect agriculture in the region.

For more than two months (since March 23), Islay residents have been involved in an indefinite strike against the Tía María mining project of Southern Copper Corporation (SCC), which is 75% owned by Grupo México (NotiSur, May 27, 2011). SCC will extract copper from two open-pit mines near the Río Tambo valley, an important agricultural region that produces rice, potatoes, garlic, paprika, and sugarcane. About 80% of the population depends on agriculture, which in the Río Tambo valley generates economic activity valued at 400 million soles (US$127 million).

SCC plans an investment of about US$1.4 billion for construction of the Tía María mine, with copper cathode production estimated at 120,000 metric tons per year once operations begin in 2017.

The reason for the population’s distrust of the project is that the environmental-impact study (Estudio de Impacto Ambiental, EIA) that the SCC presented in 2009 received more than 130 observations from the UN Office for Project Services (UNOPS). In 2013, the SCC presented a new EIA, which the Ministerio de Energía y Minas (MEM) approved in 2014, indicating that the problems had been resolved. Those who oppose the project, however, say these observations should be lifted by UNOPS, the institution that made them.

In addition, the Organismo de Evaluación y Fiscalización Ambiental (OEFA) has fined the SCC 14 times for a total of US$530,745 for environmental violations. As if that wasn’t enough, in January 2015, the Fiscalía Especializada en Materia Ambiental sought a 2 ½-year jail sentence and a civil-reparations payment of US$1 million for SCC President/CEO Óscar González Rocha, for the crime of environmental contamination (arsenic) in the Ilo Sea.

Then, on May 16, José Luis López Follegari, an analyst and member of Diálogo Minero, denounced the SCC for having solicited 4,889 hectares to initiate construction of a processing plant for the Tía María project when the EIA agreement allowed for only 488 ha. He added that the ministry had said that was an error that should be corrected, "when what the sector should do is to reject the application, return the file, and then suspend the mining project indefinitely."

Fruitless talks

Arequipeños opposed to the mine are outraged and determined to continue fighting to halt the mining project indefinitely. Among the leaders of the fight are: the Junta de Usuarios de Riego, an irrigation-user group; agricultural producers; the Frente de Defensa Ambiental; and the mayors of Islay, Cocachacra, and Punta de Bombón.

Attempts at dialogue between the parties have been unsuccessful. In the next-to-last attempt on April 29, leaders left the meeting upon noting the presence of Arequipa legislators who support the
mining project. At the last meeting on May 6, the mayors indicated that the only topic they were willing to put on the table was cancellation of the Tía María mining project.

Prime Minister Pedro Cateriano—who on April 28 won a vote of confidence from Congress for himself and his Cabinet—said the executive’s commitment was for every investment project to meet environmental requirements and protect the population. "If there were errors in the past, such as the intention to use river water (in the Tía María case), that won’t happen today because sea water will be desalinized. We can come to an understanding through dialogue, not by the use of violence," Cateriano said.

The government’s response has been to repress demonstrators and militarize the area. Clashes between police and villagers have claimed the lives of four people and left more than 300 wounded. Three locals were killed by gunfire, and a police officer died after suffering a brain injury when his skull was fractured from stones thrown by demonstrators.

The death toll from this conflict now stands at seven, including three who died in 2011—during the administration of former President Alan García (1985-1990 and 2006-2011)—as a result of political repression against citizens who protested this mining project.

Meanwhile, the government’s response does little to create conditions for dialogue. The Contraloría General de la República on May 12 asked the Ministerio de Economía y Finanzas (MEF) to temporarily freeze bank accounts of the Municipalidad Provincial of Islay and three of its districts—Punta de Bombón, Dean Valdivia, and Cocachacra, whose mayors actively support the demonstrations. The MEF ordered the freeze that day requested by the Contraloría, which had argued that there was a risk that those municipalities were financing the strike against the Tía María mining project.

For José de Echave, former vice minister of environmental management, the decision to freeze the accounts increases polarization and creates mistrust.

Freezing accounts "is extremely worrisome because, in addition, something is going on between the Contraloría and the Ministerio de Economía y Finanzas. The Contraloría has said that it suspects municipal resources are being used for the strike," de Echave said on the Ideeleradio program No Hay Derecho. "But the Contraloría hasn’t even entered the municipalities nor has it gathered information. It has just said it suspects something."

The strike has continued growing, and other sectors have joined in. Between May 12 and 14, there was a 72-hour regional strike called by the Federación Departamental de Trabajadores de Arequipa (FDTA) in solidarity with Islay growers.

"We demand the government cancel the mining project and not continue trying to make it happen at all costs. The population has already said ‘no’ and that should be respected," said Geronimo López Sevillano, secretary general of the FDTA.

Following the May 22 shooting death of the fourth person, farmer Colque Vilca, the government declared a state of emergency—which bans meetings, impedes freedom of transit, and allows search and seizure and detention without court order—for 60 days in the nine districts of Islay. As of May 25, 13 people had been detained and accused of provoking violence during the demonstrations.
The strike has effectively been overshadowed by the actions of groups bent on violence, which, although repudiated by most people, contribute to the growing violence. In addition, the leadership of the movement has been hit by the detention of Julio Gutiérrez, president of the Frente de Defensa del Valle de Tambo, who is accused of trying to extort the company for his own benefit in exchange for calling off the strike.

Protests and marches have been carried out in several Peruvian cities in solidarity with the residents of the Tambo valley. Leaders from the regions of Apurímac, Moquegua, Tacna, Puno, Cuzco, Junín, Cajamarca, Ayacucho, and Arequipa agreed to respect a 48-hour strike on May 27 and 28, which has not been cancelled despite the state of emergency. The Confederación General de Trabajadores del Perú (CGTP) will support this strike.

**Company sets 60-day break**

In a message to the nation on May 15, Humala said the executive could not halt the mining project because it is not yet in operation, and he called on Southern Copper Corporation to take the initiative for social peace. "I demand the company in charge of the Tía María mining project express its willingness to carry out concrete actions to create a basis for understanding," he said.

The company response was immediate. An hour after Humala’s address, SCC President González issued a statement announcing a 60-day suspension of activities at Tía María. "We ask for the time and facilities necessary to present the project to the public and clear up all existing doubts in the next 60 days," the statement said.

Islay and Arequipa leaders said the "pause" the SCC proposed with government support would not resolve the conflict. They reaffirmed their request that the project be permanently cancelled.

Many criticized President Humala for not finding a solution to the conflict. A survey by Ipsos-El Comercio published May 17 revealed that Humala’s approval rating had dropped to its lowest level, falling six percentage points from April, to 21%.

**Growing call for closing the mine**

On May 7, Arequipa Gov. Yamila Osorio said that no one should continue to insist on the mining project because tempers are running high and trying to impose this project could have fatal consequences.

Meanwhile, Deputy Verónica Mendoza wrote in her Uno newspaper column, "It’s not just about ‘clarifying’ how perfect the EIA is or how perfect the government says the project is. It’s a much more complex problem that has to do with institutional weakness, the lack of space for dialogue and citizen participation, the lack of transparency, the lack of territorial planning, the weak regulatory and oversight capacity of the state, which is too often obsequious toward companies with poor practices."

On May 17, the SCC issued another statement, which indicated that for decades "it had acted with the strictest ethics and absolute adherence to the law."

Energy and Mining Minister Rosa María Ortiz responded, saying the government would continue to do what it is required to do regarding the strike in Islay, but at the same time it would "require the SCC to meet its obligation, which is to reverse the impression people have of the company."
Islay inhabitants are demanding that President Humala fulfill his 2011 campaign promise in which he expressed opposition to the Tía María project. During a presidential campaign rally in Cocachacra, he said, "We will support you and make sure your voice has a binding impact on any political decision."

What’s at stake for environmentalists, human rights advocates, and others in solidarity with the people of Islay is ending irresponsible mining and promoting local development, which in this case is based on agriculture.

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