

10-4-2006

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Court Orders Government to Halt Work on Controversial Dam in Guerrero

by LADB Staff

Category/Department: Mexico

Published: 2006-10-04

In a small victory for a handful of campesinos communities in Guerrero state, a federal district court in Acapulco has ordered the state-run utility company, the Comision Federal de Electricidad (CFE), to suspend all preparatory work for the construction of the huge hydroelectric dam La Parota. The decision was in response to injunctions filed by the Consejo de Ejidos y Comunidades Opositoras a la Parota (CECOP), which represents a group of communal farms (ejidos) opposing the expropriation of their land for the project.

The 900-megawatt dam, which would provide electricity to a large section of western Mexico, is one of several electrical projects planned during the administration of President Vicente Fox (see SourceMex, 2005-09-14). The Parota would be constructed on the Papagayo River, near the resort city of Acapulco. President Fox's administration had planned to get the project underway before the completion of its six-year term on Nov. 30.

In July, Energy Secretary Fernando Canales Clariond was telling reporters that he expected all legal issues to be resolved sometime between September and November. The court decision not only puts that timetable in jeopardy, but also creates some uncertainty about whether the project will become a reality.

The court's ruling directs the CFE to suspend all work on La Parota and to stop the expropriation of communal land belonging to residents in La Palma, Los Huajes, and Dos Arroyos for an indefinite period, pending a ruling from the agrarian tribunal (Tribunal Unitario Agrario, TUA) on whether the expropriations violate the rights of landholders.

The three ejidos, along with the community of Cacahuatepec, account for about two-thirds of the area needed for the construction of the hydroelectric project, said representatives for CECOP and the Centro de Derechos Humanos de la Montana Tlachinollan. Opposition to the project is not universal among local residents.

Members of 18 local communities voted to support the project last year (see SourceMex, 2005-09-14). Evencio Sotelo Romero, a local leader for the Confederacion Nacional Campesina (CNC) who represents the communities that favor the project, said the district court's decision would be reversed on appeal. Sotelo also noted that the TUA already issued a preliminary decision in August supporting the construction of La Parota. Communal farms spearhead opposition to project. In addition to legal action, opponents have used acts of civil disobedience to oppose the construction of La Parota.

In April of this year, hundreds of ejido dwellers briefly seized a pumping plant, cutting off much of the water supply to Acapulco just days before the busy Easter vacation. "We wanted the people of Acapulco to see what it's like to go without water for two days, three days, or more," said CECOP leader Marco Suastegui, referring to the water shortages that protesters fear will dry up their farms and fisheries if the dam is built. CECOP has also set up a permanent blockade between the communities of Las Ollitas and San Jose Cacahuatpec to prevent the CFE from conducting any preparatory work on the parcel of land where residents of the displaced communities would be relocated.

Among those who joined the protests in April was Subcomandante Marcos, a leader of the Ejercito Zapatista de Liberacion Nacional (EZLN). At that time, the EZLN leader was touring several Mexican states to bring attention to the issues affecting indigenous and rural communities. The tour coincided with the traditional presidential campaigns of the three major political parties (see SourceMex, 2006-01-18). "The government is going to have to either wage a war to construct this dam or not construct it at all," Marcos said, directing his criticism not only at the Fox government but at Guerrero Gov. Zeferino Torreblanca.

Marcos' reference to the threat of violence is a real concern among the opponents of La Parota, who fear that that federal and state authorities would respond with violence to protests, as was the case in May of this year during a miners' strike in Lazaro Cardenas in Michoacan state and a vendors' protest in San Salvador Atenco in Mexico state (see SourceMex, 2006-05-03 and 2006-05-17).

On Oct. 2, the 38th anniversary of the Tlatelolco student massacre in Mexico City, CECOP members and their sympathizers organized marches in Acapulco and the Guerrero state capital of Chilpancingo to commemorate the event and to demand that the state and federal authorities cancel the project.

The march was also a gesture of solidarity with striking teachers in Oaxaca, who are concerned that the federal government would launch a major crackdown. The teachers union already faced one confrontation with authorities this summer, when state police dislodged protestors from the Zocalo (central square) in Oaxaca City, injuring more than 80 people (see SourceMex, 2006-08-02).

The teachers retook the square after state police withdrew from the area. The Oaxaca teachers, who are involved in a five-month dispute with state and federal authorities regarding pay and other issues, have joined with other organizations to form the Alianza Popular del Pueblo de Oaxaca (APPO). The APPO is demanding the resignation of Oaxaca Gov. Ulises Ruiz, in part because they hold him responsible for ordering the crackdown in May (see SourceMex, 2006-09-13).

UN agency, environmental advocates also oppose dam

CECOP's campaign to stop La Parota has received support from Rodolfo Stavenhagen, the UN's Special Rapporteur on the situation of human rights and fundamental freedoms for indigenous peoples. Stavenhagen, a Mexican citizen, said the federal, state, and local governments have to take into account the position of the ejido dwellers who oppose the project. "The Mexican government has the obligation to protect the human rights of all its inhabitants, including the right to land, subsistence, free consultation, and participation [in the democratic process]," Stavenhagen said

during a visit to the community of Aguacaliente in Guerrero in August. He made the comments following a four-day visit to Guerrero state to address land issues with residents of indigenous communities.

Several environmental organizations such as the Grupo de los Cien, the Union de Grupos Ambientalistas, and a half-dozen other groups have also come out against La Parota. The groups, which argue that the project will destroy wildlife habitats in Guerrero, made their case at the World Water Forum in Mexico City in March 2006 (see SourceMex, 2006-03-22). The controversy regarding La Parota has put the center-left Partido de la Revolucion Democratica (PRD) in a difficult position.

At national level, PRD legislators have condemned the project, but its strongest supporter is Gov. Torreblanca. The Guerrero governor, whose roots are in the business community (see SourceMex, 2005-02-16), even helped organize a march in support of La Parota in early May. Among those who participated in the march were sympathizers of the PRD, the Partido del Trabajo (PT), and the Partido Revolucionario Institucional (PRI). Torreblanca, who served as mayor of Acapulco before his election to the statehouse, has promoted La Parota as a solution to help ease a water shortage in the resort city.

Also supporting La Parota is Acapulco's PRD Mayor Felix Salgado Macedonio, who contends authorities have done a very poor job of explaining the benefits of the project to the citizens of the state. "I am not an opponent of La Parota," Salgado told the Acapulco daily newspaper El Sur. "What I'm saying is that this project cannot be imposed arbitrarily on the citizens." The project is expected to benefit Mexico's large engineering companies, especially Grupo ICA.

In mid-September, ICA president Bernardo Quintana Isaac said his company expects to obtain concessions for any major hydroelectric projects. "I hope La Parota is able to proceed because it is a very viable project," Quintana said at a ceremony marking the 100th anniversary of Mexico's giant multinational cement company CEMEX.

Fox government moves forward with La Yesca dam

While La Parota remains in limbo, the Fox administration is making arrangements to construct another hydroelectric dam near the communities of La Yesca in Nayarit state and Hostotipaquillo in Jalisco state. The facility, which will be known as La Yesca, will be on the Rio Santiago. Construction of the plant, which will have a capacity of 746 MW, is projected to cost about US\$850 million. Completion is targeted for 2011.

The CFE says that the 210-meter-high La Yesca will be the tallest dam in the world, 12 times higher than the Pyramid of the Sun in Teotihuacan. "This is a large project that will give a strong impetus to the regional development of Jalisco and Nayarit through the creation of 10,000 jobs," Fox said in March when he announced the project. La Yesca will complement El Cajon dam, which is also on the Rio Santiago and is under construction in Nayarit state (see SourceMex, 2003-04-23 and 2004-06-16).

The La Yesca project has not met as much opposition as La Parota, but environmental advocates requested a public consultation on behalf of the residents of Hostotipaquillo, who are concerned

about the impact on their lands. "We have asked for an environmental-impact study," Pedro Leon Corrales of the Instituto de Derecho Ambiental said when the project was announced in March.

Some environmental organizations see potential problems with the system of dams the government is constructing on the Rio Santiago, which includes La Yesca, El Cajon, and other smaller hydroelectric facilities. "There is no guarantee that El Cajon will have sufficient water for operation during a time of drought," said Gustavo Castro Soto of the Movimiento Mexicano de Afectados por las Presas y en Defensa de los Rios.

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