



Why do we oppose
mega-mining?

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Introduction

LatiCe will be sharing three articles with you on the Latin-American people's resistance to the mega-mining projects. The first article included in this publication is written by the Youth Organization Amazonian Commune and describes their resistance to oil projects and mega-mining in the Amazon, a struggle that has been taking place in Ecuador for the last 20 years. The article states that most of Ecuador's revenues are based on oil exploitation therefore the idea that there is no alternative to extractivism has been imposed upon the people, so this way mining concessions are legitimized and granted to transnational organizations. This permanently violates the right of people to free, prior and informed consultation, and justifies the persecution and criminalization of social struggles and their grassroots leaders and representatives.

The other article included in this publication is about the Self-convoked Neighbours Assembly to say NO TO THE MINE. They have been organized to defend water and life since late 2002. Chubut has a total of 135 mining projects, among which half are implemented under irregular conditions. They stated that in line with national policies, there are plans to advance with gas and

petroleum extractions through unconventional methods (fracking), which has led to protests and lawsuits. In Chubut, there is more than gold and silver; there is also lead and uranium, as well as in many other provinces.

The third article included in this publication is written by Lina Solano Ortiz, a founding member of the Women Defenders of the Pachamama (Mother Earth). She discusses the Role of Women Defenders of the Pachamama within the conflict of the Rio Blanco Mining Project. The article focuses on the social impacts caused by this mega mining project.

For the author the criminalization of social protest is crucial for understanding the process of how rural women, many of them with little education and no organizational experience, became right defenders and activists who oppose megaprojects. Mainly it is the protection of water which they consider an essential resource of life which led them to abandon the domestic sphere and take part in the opposition process.

LatiCe firmly recommends this publication for those willing to understand the struggle against the mega mining projects in Latin America. We end our comments thanking those who through

their writings, share their experiences with us and give us the chance to understand the impact of these mega mining projects on the local communities. Thank you for making us a part of your struggle.

Anti-Extractivist Struggle and Resistance in the South Central Region of the Ecuadorian Amazon

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Puyo, Pastaza Province

Ecuadorian Amazon

Amazonian Context

The south central Amazon (Pastaza and Morona Santiago provinces) is one of the most biodiverse and culturally rich geographic areas in Ecuador, as it includes one of the most extensive and well preserved continuous forests in the entire region, covering approximately 3 million hectares. It is also home to seven Indigenous Nations: Kichwa, Shuar, Achuar, Shiwiar, Sapara, Waorani and Andoa, which, together with the Mestizo people, makes the region the most culturally diverse in Ecuador.

The history of our continent, and of the Amazon in particular, is a story based on looting and extractivism which began 500 years ago during colonial times with the rush for gold, cinnamon, quinine and rubber, and which continues in the present day with the new colonialism of the transnational imperialists involved in mining, oil, timber, agribusiness, dispossession, traffic and land grabbing, etc. For them, the Amazon is the primary source of raw material for accumulating wealth and profit, forged on the destruction of our forests and water sources and on cultural genocide and the subjugation of our Amazonian peoples into poverty. Added to this imperialist invasion are national and local mafias which not only open the gates for foreign companies to enter our region, but also, under the auspices of a legitimacy achieved through influence-peddling and economic pressure, promote local plundering throughout the Amazon, by means of land trafficking, timber exploitation, "small scale" mining, etc.

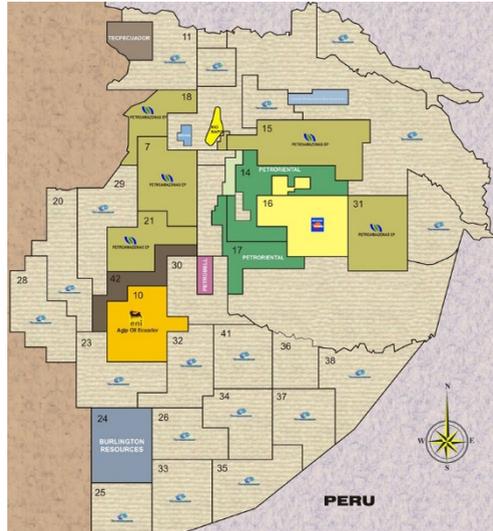


Photo: Oil exploitation Map

Because most of Ecuador’s revenues are based on oil exploitation, the idea that there is no alternative to extractivism has been imposed upon us, and so mining concessions are legitimized and delivered to transnationals such as ECSA, Kimross, IamGold, Merendon, and Ecuacorrientes, and oil bidding rounds (currently, Oil Round XI) are promoted for territories whose citizens have openly resisted. This permanently violates the right of peoples to free, prior and informed consultation; it persecutes and

criminalizes social struggles and their grassroots leaders and representatives¹.

While the government and its transnational partners divide up the territory, the local mining and timber mafias, using violent and deceptive means, take possession of the resources of poor communities which, in many cases, are not even the legal owners of their ancestral territory, as their legitimate lands were taken from them by ranchers and missionaries during the first colonial period. Therefore, even though the unjust land ownership persists, landless peasants and indigenous people continue to resist this extractive invasion and are struggling to regain their territory.

Given the situation described, the growing concern of the Amazonian public regarding the strong social, and environmental pressures which the region is beginning to experience has evolved into an urgent need to create spaces for discussion of social, political, economic, cultural and environmental Amazonian issues.

¹ At the present time, legal proceedings have been initiated against 10 leaders of the Kichwa, Achuar, and Sapara and Meztizos nationalities for their opposition to Oil Round XI.



Photo: Amazon

These spaces should promote the agreement of the Amazonian collective on proposals for life with united objectives towards the consolidation of a common interest that brings together the various stakeholders in the region. We, the people have a legitimate right to defend our land, our water, our culture and our sovereignty. We, the people have a legitimate right to organize, resist and fight.

Anti-Extractive Struggle and Resistance

Resistance to oil projects and mega-mining in the Amazon has been one of the strongest points of the popular struggle in our country during the last 20 years. Behind all the grandiose promises of employment, earnings, technology and development trumpeted

as "benefits" by the petroleum industry and its eternal spokesperson, the State, the real and inevitable result is the **enrichment of the transnationals**. In response to this argument, the regime would say that most of the profits stay in the country, and that that money would be invested in social projects, but what in fact happens is that higher earnings go to line the coffers of the transnationals, while the greatest losses are shared among our farmers and indigenous people as well as all the rivers, and streams, forests, flora and fauna, which even though efforts are made to conceal the environmental disaster, are irretrievably affected on a daily basis.

Anyone who might remain unconvinced of these dire environmental facts, because it seems to them to be a romantic view of nature, would do well, for example, to review the history of spills and the contamination of agricultural field and water sources which have occurred, and continue to occur to this day, since the entrance of the U.S. company, Texaco, with the state-owned Petroamazonas. In light of this, it does not seem unreasonable to distrust an industry which frequently destroys and pollutes the water consumed by the rural population of the northern Amazon, or fields that should grow food, or forests where native peoples harvest fruits, medicinal plants and materials for handicrafts,

where they hunt and encounter the spirits of the forest, all core issues for the reproduction of their culture and for the historical continuity of our roots.

Is extractivism the only way out for our country? We have to say that, inevitably, before attempting to expand the oil frontier and take the path of looting of our Pachamama (Mother Earth), a rendering of accounts for all the environmental and social damages which we have endured after more than 40 years of oil exploitation, as well as the distribution of wealth, would be essential. Surely, if the whole truth were to be told in this rendering of accounts, more and more citizens would better understand the stance that many rural and indigenous organizations and communities take in defending the water, fields, forests and in short, life, questioning and resisting this model.

Faced with the intention to again put our resources up for sale to the new colonialists of the world... the imperialist transnational corporations, Amazonian nationalities present in the south-central Amazon, together with social organizations in the area, have maintained a process of constant struggle and resistance.

Our Plan and Approach to the Struggle

There is little that has been discussed collectively, as there are various positions and viewpoints that must be expressed in debates and collective discussions which generate concrete proposals and approaches to address the reality that we experience in the Amazon. As a contribution, we are plotting the way forward together with all the social sectors, communities, organizations, nationalities and people in general that make up the Amazon scenario.



What future awaits our children?

We, the social organizations, nationalities, urban fronts, independent sectors and Amazon community, need to encourage

debate and discussion on all aspects of the Amazonian issue. An uninformed populace cannot decide its own destiny. A people cannot be a simple receiver of external models. The people themselves should take the reins of their own destiny into their hands. It is the time then, to discuss and reflect on the expansion of the oil frontier within the framework of the XI Oil Round and other extractive plans and programs such as the exploitation of the Yasuní ITT in the northeastern Amazon, open pit mining in the southern Amazon, and many others.

The relevant authorities should clarify the management and allocation of resources derived from oil revenues through a rendering of accounts that presents the community with a realistic scenario of the past, present and future oil eras. Oil exploitation in the current blocks already generates revenues which enable the maintenance of much of the public expenditure of the Ecuadorian people; the expansion of the oil frontier is, however, a response to the excessive desire of national and transnational corporations for capitalist accumulation and is defended by the private economic interests of the bourgeoisie in Ecuador.

The Amazonian region's rich biodiversity represents potential sources of income; the rainforest, which contains 80% of the

undisturbed forests in south central area. The Amazonian provinces, designated by their local governments as ecological areas should correspond to this character with which oil development is inconsistent. There are countless proven alternatives in the Amazon such as ecotourism and community tourism, and agro-ecological production, which in and of themselves present challenges with a long-term vision for the local, provincial and regional governments.

These are immediate actions that require decisive action by the community:

Support for the position of the Amazonian peoples and nationalities on the part of social stakeholders of the Amazonian scenario.

The formulation of popular statements and resolutions in community meetings where these and other issues are discussed from a truly democratic position which is not one-sided or biased toward particular economic interests.

Mobilization as a fundamental tool of struggle to demand the true fulfillment of our rights, approaches and positions regarding the Amazonian society.

The unity of all the sectors in struggle and resistance to jointly confront the onslaught of modern capitalism, spearheaded in the Ecuadorian Amazon by the implementation of extractive mega-projects and the derivative expansion of the oil frontier in the south-central Amazon.

Youth Organization Amazonian Commune

The Amazonian Commune is a social popular, anti-capitalist organization of the working class in which youth from various communities and cities of the Amazonian territory, especially in the provinces of Pastaza and Napo, come together. In our work, we maintain strategic partnerships with sister organizations such as Centro Zanja Arajuno. We are an organization that carries out popular, political and organizational work with both our rural and urban brothers and sisters, addressing threats and abuses which extractivism, land-grabbing and developmentalist models exercise on our people, on the territory and on Pachamama. Our organization builds its proposals, actions and processes collectively, based on the anti-capitalist and anti-imperialist struggle and the demand of thought and tradition left by our indigenous peoples.

The Commune maintains spaces for political-organizational learning that we call “Living Schools” where we learn in a collective way about our history, the conditions of exploitation of our people and of nature, forms and methods of organizational work, cultural identity, leadership training, etc., with the aim of strengthening our role as political individuals and leaders in our communities and organizations. This training process is strengthened by the various youth meetings and sharing of experiences with organizations around the country, support, “*mingas*” (communal work) in solidarity, and popular assemblies which we hold on a continuous basis. Understanding that the only way to assert our social demands is through the struggle and social mobilization of a conscious people, the Amazonian Commune forms part of the processes of struggle and resistance against extractivism, developmentalism and land grabbing being advanced in various indigenous and rural communities in Napo and Pastaza as well as jointly supporting the demands and processes of struggle and resistance of rural organizations and people from the Amazonian interior and other corners of our region.

In urban areas, we work with the youth sector from the cities of Tena and Puyo, with which through artistic and cultural expression, we hold popular events such as arts festivals,

audiovisual media campaigns, talks, forums, meeting spaces of reunion with the traditional culture, etc. For all this, in our daily work, we continually raise our voices in the slogan often shouted in the streets:

***The rainforest is not for sale, the rainforest fights back.
Petroleum, the imperialist feast!***

Time doesn't stop¹

Self-convoked Neighbours Assembly to say NO TO THE MINE.
Esquel, Chubut

Esquel is a town that has been taking to the streets to defend water and life since late 2002. It was the town that threw out the multinational mining company that sought to exploit the Cordón Esquel, a symbol and custodian of fortitude and dignity.



Photo: Alejandro Corbeletto, Esquel

From here, the anti-mining struggle radiated throughout Argentina.
The mountain stands thanks to its people.

¹ Title of the song by Bersuit Vergarabat

It shall remain so. On Saturday, January 4, 2014, we took to the streets of our dear Esquel again, once again saying NO TO THE MINE. It happened as it did eleven years ago. Today, many footprints have grown and the struggle is gaining significance.

Poly-metallic mega-mining is a paradigmatic manifestation of capitalism: extraction at the lowest possible cost to companies without any regard for social and environmental rights.

At Cordón Esquel, which sits on the water basin² that feeds the city of the same name in Chubut, Argentina, there are 80 tons of gold (about US\$4,500,000,000) and 125 tons of silver (about US\$150,000,000). Extraction was planned for ten years with the use of 6 tons of cyanide per day. The financial conditions of the project were only attractive to the company and a few officials and traders thinking in the short term, if we take into account the tax incentives provided by the Law on Mining (rebates, exemptions, royalties, etc.).

² A study by hydrogeologist Fernando M. Díaz described the technical opposition as follows: <http://www.noalamina.org/mineria-informacion-general/impactos-de-la-mineria/mineria-de-agua-como-la-megamineria-afecta-el-caudal-y-la-salud-de-las-cuencas>

Even though the mining industry uses certain discursive cosmetics that include concepts such as “development of nearby communities”, “sustainability” and “corporate social responsibility” to install their projects, both the reality of their ongoing undertakings around the world and many Environmental Impact Studies presented by the companies themselves in our country demonstrate the constant deceptive tactics they avail themselves of. Some of these tactics came to light in the assiduous and deep assembly process carried out by residents: mega-mining would not provide genuine sources of employment for the many unemployed people in Esquel after the economic debacle of the last two decades of the 20th century and, without a doubt, it would destroy the ones related to tourism and livestock production, as well as negatively affect the living conditions of people.



Protest march - No to the mine

Photo: Pablo Quintana, Esquel

In late 2002, the Self-convoked Neighbours Assembly to say NO TO THE MINE. took the leading role required by this moment in history: their efforts multiplied the number of people who committed themselves to informing residents and helping them mobilize. 8,000 people taking the streets in a town of 27,000 shook the structures of power. Back then, even an “Amparo” (Constitutional Protection) appeal was presented in Court, forcing the mining company to stop the works it had started in the mountain.

The Popular Referendum that the population won from the Municipal Government on March 23, 2003, showed over 81% of opposition to the undertaking, a number that surprised not only the company but also a large proportion of formal political forces. Since then, there are protests held every 4th day of the month, a symbolic day because the mine was expected to be inaugurated precisely on January 4, 2003.



*Water is worth more than gold
Photo: Marcelo Dolinsky, Esquel*

The NO TO THE MINE statement, a collective standard, increasingly multiplies the number and significance of saying “NO”. From the hand of each adult who took on the struggle, there was

a girl, a boy, a teen, who made it into flesh. Today they represent its greatest strength. And it's not just in Esquel...



No to the mine

Photo: Raúl Gallego, Trelew

The years of struggle have pitted us against the mining industry several times. Sometimes this has been at the individual level

(such as telephone threats, discrediting, pressuring government workers, suing residents and journalists) and other times these have been carried out with impunity against the people as a whole: the sale of the Project “to another company” that shares too many characteristics with the first one, the unmasking of the efforts advocating the benefits of mining in Corporate Conferences, the planned task of undermining popular will through co-opted and pseudo-journalistic media employed by the mining company and intended bribes for families in need.

Some major insults were also perpetrated: changing the name of the Project (and our city) to “Suyai”, the City granting the Yamaha Gold Company the remodeling of administrative offices in Esquel and the announcement of exploration and extraction of a non-existent deposit in a nearby town, thus generating a supposed acceptance of the activities that is untrue, among other things.

It is difficult to understand, after a complete rejection to mining activities, how the sovereign administration of the city would allow such abuses but the people were always very clear that, among municipal officials, there were representatives of the mining company, of the kind that, as our patriot Manuel Belgrano described, *“know no country, no king and no religion beyond their*

interest”, with full names and a position granted by the City Mayor. Their job is not going beyond their own shadows and operate conveniently, sending those seeking employment to talk to the Community Relations Manager of the mining company³. These are hired mercenaries, as obtuse as they are ambitious and individualistic, permanently incapable of management and honesty.

The immediate withdrawal of Meridian Gold following the outcome of the Popular Referendum in 2003 caused discomfort for both the local and provincial governments. Beyond the different results they later obtained at the polls, none of them could draft any economic alternatives to mining. Let's be clear: they didn't want to do so. On the contrary, mining projects proliferated in the provincial territory. And, with them, the opposition from the population grew.

Information began circulating in the cities of Rawson, Trelew, Puerto Madryn and Comodoro Rivadavia as well as in small towns and communities in the countryside. The threat that hung over the

³ Covertly and for two years, this company Manager conducted a local radio program (still on the air) where mining activities are promoted without disclosing their employment relationship.

mountain range extended to the provincial plateau and even to territories near the Atlantic coast.

Residents of different towns began to mobilize as well, to take their place on the streets of the Province and judicial seats and to stand guard at the Legislature.

2013 was characterized by an important advancement of the Provincial Government to modify Law 5001, an unsatisfactory but efficient product of the Esquel struggle, which bans the use of toxic substances in mining extractions in Chubut. And there were residents literally risking their bodies to prevent this from happening.

In line with national policies, there are plans to advance with gas and petroleum extractions through unconventional methods (fracking), which has led to protests and lawsuits. In Chubut, there is more than gold and silver; there is also lead and there is uranium, as well as in many other provinces. A large portion of the territory of our country is occupied by genetically-modified crops. And, everywhere, there are organizations fighting them.

This tight review undoubtedly leaves out many events that make up the story of a resistance movement which, among its many expressions, can count that of the small original communities.

The latest effort undertaken by the Union of Assemblies in Chubut has been to launch THE OTHER CAMPAIGN in August 2013. The idea is to gather the necessary number of signatures to propose a Mining law through a popular initiative.

Chubut has a total of 135 Mining Projects, among which half is under irregular conditions.

Time doesn't stop. They inhabit it within the shadows, pulling the sinister strings of their puppets as merchants of death dressed up in "progress and development".

They are sometimes miners and this is how they introduced themselves to us. In other places, they go around planting modified seeds and spreading poison from duster planes or injecting polymers into rocks to extract the gas and petroleum they contain.

In all cases, they take over the water, the health, the land and the rights of others.

And, in all cases, we, the others, are there, resisting. And since resisting is multiplying, the struggle becomes contagious and so does the role of citizens. The history of dictatorships in Latin America in the 20th century has relegated citizen participation for generations. Real democracy is now here to stay. It is embodied in the regular citizen who takes up the struggle with the love and care of every child and grandchild marching alongside him. They, the “NO kids”, are the ones who today represent the greatest force to say NO TO THE MINE.



Photo: Raúl Gallego, Trelew

Violated Rights, Resistance, Criminalization.

The Role of Women Defenders of the Pachamama Front in the Rio Blanco Mining Project Conflict

Lina Solano Ortiz⁴

Introduction

The Rio Blanco mining project is one of five projects that the current government of Ecuador has identified as being of "national interest" and is seeking to develop in the short term in order to start mega mining in the country.

⁴ Sociologist Lina Solano Ortiz, holder of Master's Degrees in Sociology and Development and Health with a Focus on Ecosystems at the University of Cuenca, Ecuador. Founding member of the Women Defenders of the Pachamama (Mother Earth) Front and the National Coordinator for the Defence of Life and Sovereignty CNDVS. Currently President of the Union of Latin American Women ULAM.



Photo: Area to be impacted by the project

This project is in the parish of Molleturo, in the Azuay province (south of the Andean region of Ecuador), and is being supported by the current regime despite years of resistance that the communities have raised, and the proven rights that have been violated by the delivery of these concessions without information or prior consultation processes.

In this article I will discuss the social impacts caused by this mega mining project, which is presently in the process of obtaining a license for the operational phase, focusing on those impacts that are related to the violations of human and constitutional rights.

I am also interested in highlighting the communities' resistance, with emphasis on the role that women have been playing in this

process, in particular the Women Defenders of the Pachamama Front, and the response of the government and the State to the people's fair demands.

1. Rio Blanco Project Information

The Rio Blanco project is located in the rural parish of Molleturo, northwest of the Canton Cuenca in the Azuay province, near the village of Rio Blanco, a small settlement of mestizo peasant people.

The concessions for this project are in the Andean Paramo between 3,500 and 4,000 m.a.s.l (metres above sea level), within the Macizo del Cajas area, declared a Biosphere Reserve Area by UNESCO in May 2013. They can also be found within the Molleturo-Mollepongo Protective Forest, the Cajas National Park and its buffer zone.

This sector of Andean Paramo has bodies of water covering an area of 68.21 ha, the following being the main ones: Yantahuayco (where some of the water for the mine would be taken), Sunincocha, Luspa, Patul, Larga, Playas Encantadas.

Equally, this is where the sources of important rivers are to be found. These form parts of micro basins, sub basins and basins

that flow towards the coast of Ecuador and run into the Pacific Ocean. Many of these rivers would potentially be affected by the Rio Blanco project, among them: the tailings pool would be at the headwaters of the Rio Blanco, more specifically over the gorge of the same name; the Miguir and El Chorro rivers, where there will be a decrease in the flow of its tributaries due to the water taken for the construction and operation of the mine, and the Canoas river, where treated wastewater from the mine will flow to after being discharged into the Migsihuigsi stream.

This project currently comprises 4 mining concessions: Canoas (2,940 ha.), Canoas 1 (459 ha.), San Luis A2 (270 ha.), Miguir (2,130 ha.). The first two were handed over to the RTZ Mining and Exploration Corporation in 1995 and 1996 then in 1998 the rights were transferred to EMIDEL C.A, which, in 2001, sold the concessions to San Luis Minerales S.A. (SLM), an Ecuadorian subsidiary of the Canadian company International Mineral Corporation (IMC).

It should be emphasized here that the communities of Molleturo were never informed, much less consulted, while the concessionary territory was being passed from hand to hand.

San Luis Minerals won the San Luis A2 concession in 1999 and Miguir in 2003, under its original name, which was Chorrera Corporation.

San Luis Minerales began the exploration phase in 1997. The feasibility study was carried out in 2004 and 2005. From 2004 proceedings began for the presentation of the Environmental Impact Study (EIS) for the operational phase.

The sale of the project to current owners Junefield, a Chinese company, was finalized in 2012

It has been forecast that around 665,000 ounces of gold will be extracted at Rio Blanco and more than 4 million ounces of silver from a subterranean mine and cyanide leaching system. This mine will make billions in profits for Junefield, a Chinese company, leaving Ecuador with a small percentage of royalties from which the greatest beneficiaries will be the international creditors, currently mainly China; another part will go to the government and State, and a pittance will be left for the communities, as occurs with income from oil exploitation.

According to the Rio Blanco EIA, the fresh water requirement for construction and operation will be approximately 6 litres per

second, data that has been questioned by experts as it does not correspond to the needs arising from the activities outlined in EIA, and which also lacks sufficient and reliable information on the surface and groundwater in the area.

Because of the characteristics of the area where the development of this mega project is planned: fragile moorland ecosystems with endemic flora and fauna that depend on the balance of this habitat, where in addition there are springs and water sources that supply important micro basins, sub-basins and basins, it is clear that the environmental impact of this project would have irreversible consequences that would also directly affect the lives of local people.

2. About Molleturo

Molleturo is one of the largest parishes of Ecuador at 1,331 km². It is located approximately 50km from the city of Cuenca which is the regional headwaters and capital of the Azuay province.

This rural parish has a total population of 7,166 according to the 2010 census, divided into 71 communities that are among the 20 and 4,560 metres a.s.l, in other words, they are in the Andes as well as the coastal region.

Due to its geographical location, this parish has different ecological zones with great biodiversity.

Similarly, its inhabitants, who are dedicated primarily to agricultural activities, generate diversified production. In the Andean area, local species are cultivated such as corn, beans, mellocos, sweet potatoes, and vegetables, mostly to supply the domestic markets of cities such as El Naranjal or Cuenca; while the communities located in the coastal region produce cacao, bananas, exotic fruits, some of which are destined for export. In both the upland and coastal areas of Molleturo, agricultural units are mostly small and medium, which maintains food sovereignty by supplying the local markets of important areas in the Azuay, Guayas and El Oro provinces. So, the development of the Rio Blanco mining project would cause an impact on a large agricultural production area with consequences that are have already been witnessed in similar operations worldwide.

As well as the Rio Blanco project in Molleturo other concessions for mega mining have been granted to the Ecuador Gold company, as well as several sites allocated to small and medium scale mining, which are also causing conflict with the local inhabitants.

3. Social Impacts of the Rio Blanco Project

Violation of human and constitutional rights, their defense and enforceability through social mobilization

As in all the other mining projects in Ecuador, in the case of Rio Blanco information processes or prior consultation with communities that would be affected were non-existent, thus violating the provisions of the Constitution of 1998 and the present, reformed in 2008 by the National Constituent Assembly in Montecristi.

For this reason, for more than a decade the communities have been independently gathering information on the serious environmental and social impacts of mega mining, and on the basis of that knowledge have mobilized themselves in order to reject the imposition of this extractive industry on their territories.

The resistance in Molleturo has been part of an overall process at various points of the mining conflict in Ecuador, which in January 2007 led to the formation of the National Coordinating Committee for the Defense of Life and Sovereignty (CNDVS), which integrated the demand to nullify the concessions into a common

platform, which in that year held large rallies in the first few months of the Alianza País government coming into power.



Resistance in Molleturo

Then, in April 2008, due to social pressure from those affected by mining who were mobilized and days from a new indefinite strike, the National Constituent Assembly issued Constituent Mandate No. 6 Or Mining Mandate⁵, which recognises the demand due to lack of prior consultation, sets out in article 1 the closure without

⁵ Mining Mandate. <http://www.recursostratificados.gob.ec/wp-content/uploads/downloads/2012/08/MANDATO-MINERO-6-CONCESIONES-MINERAS.pdf>.

any economic compensation of all those concessions " ...that have not carried out the initial consultation processes... ".

This meant recognition that the communities' demand was justified as the concessions had been handed over for one dollar per hectare by different governments since the 1980s and 1990s without the knowledge of the settled populations in these territories.

This constitutional mandate also terminated the mining concessions "...granted to protected natural areas, protective forests and buffer zones defined by the competent authority and those affecting springs and water sources." (Art. 3)

However, at the time, the Ministry of Energy and Mines, and later of Non-Renewable Natural Resources, never implemented this mandate, leaving all the concessions in place for large projects that were instead declared as being of "national interest".

The CNDVS then put forward two proceedings to the People's Ombudsman of Ecuador for failure to adhere to the Mining Mandate, the first presented in November 2008 and the second in September 2011. Through these two processes it has been demonstrated that the mega mining project concessions, and in

particular the one in Río Blanco, did not carry out consultations, are within protected areas, protective forests, buffer zones and will affect springs and water sources, and fail to adhere to other points of the Mining Mandate.

In the case of the Rio Blanco project there has been no Prior Consultation process with the communities (Art. 1 of the Mandate); these non-consulted concessions are in the Macizo del Cajas area, within the Molleturo-Mollepongo Protector Forest, in the Cajas National Park and its buffer zone, and in water sources and springs of several rivers that include micro basins, sub-basins and basins that flow towards the coast of Ecuador (Art. 3). In addition, it kept the 4 existing concessions, when according to Article. 4 of the mandate, they should have been closed down because more than 3 had been granted to a single legal person.

"For community organizations the Rio Blanco project makes it clear that the contempt was a deliberate act by the Ministry of Mines, ignoring the serious social and environmental consequences, many of them irreversible, that the project

represents for the Molleturo Parish, simply decided not to apply the mandate to the SLM/IMC mining company." ⁶

This entire process due to the requirement of the violated rights has led to the permanent mobilization of affected communities and towns, which has meant that the government and the state have committed serious human rights violations against those who have participated in this social movement. The response of state and government has been the repression, persecution and criminalization of protest. There are documented cases of serious violations such as: arbitrary deprivation of liberty; verbal, physical and psychological attacks by state forces, government officials, mining company security forces and pro-mining parties; judicial persecution, intimidation, threats, disqualification, discrimination, defamation, libel, and incitement to attack, among others.

⁶ "A regional look at the right to prior consultation and information in the context of the extractive industries", Latin American Mining Monitoring. 2014

Criminalization of resistance



Photo: Against the criminalization of resistance

Concomitant with the violation of rights and legitimate protests of the communities in defense of these rights, there is a process of criminalization and judicialisation of social protest. Since they carried out the first actual actions against mining in June 2007, after a few months of the Correa government coming to power with economist Alberto Acosta as Minister of Mines and Petroleum, an indiscriminate use of force was employed to quell popular revolts and a veritable judicial persecution commenced against those who were identified as leaders.

Judicial persecution continued in spite of the fact that on March 14 and July 22, 2008, the National Constituent Assembly declared an Amnesty on hundreds of processes initiated against defenders of human rights. The Constituent Assembly recognized that the Amnesty Resolution was about cases of criminalization of social protest that was happening in the middle of the movements due to conflicts with mining companies, oil companies and others that particularly affect Nature.

In June 2007, when the stoppages were convened by the National Coordinator for the Defense of Life and Sovereignty - CNDVS, dozens of demonstrators were arrested in a violent manner and trials were initiated for "obstruction of a public highway". But above all, in January 2009, when the communities began to mobilize again against the draft Mining Act, repression was carried out with more force.

In the case of Molleturo, on January 5, 2009, facts were produced that have still not been proven to this day, such as the burning of a police vehicle and multiple trials were initiated including for "organized terrorism", against several women and men. Under the pretext of what happened, a veritable witch hunt began; police raided homes to apprehend people allegedly involved in the

events in an illegal and violent manner. Subsequently the people were freed, and in August 2009 as the accusations had no substance, the "organized terrorism" trial was dismissed in which several members of the Women Defenders of the Pachamama stood accused.

It should be noted here that the Mining Law was adopted without pre-legislative consultation with indigenous peoples, violating the Constitution again and thus demonstrating the decision of Rafael Correa's government to carry forward the mega mining projects at the expense of the rights of the Ecuadorian citizens and Nature recognized in the present Magna Carta.

The criminalization and judicialisation of social protest in the case of mining conflicts has been done with the aim of undermining and intimidating, the accused, tried and sentenced, as well as members of their communities or organizations, in order to allow the mining corporations to continue with their activities. In the case of Rio Blanco, these trials have served their purpose, many people have left the struggle because they are afraid and others have had to lower their profile due to judicial processes. To illustrate, we will mention the case of members of the Women's Front accused of "obstruction of a public highway", whose trial was recently

terminated in August of 2013, holding it as a permanent threat over women for five years.

The criminalization of protest is additionally being implemented through delegitimization. In this sense, the current government has been continuously using the discourse managed by officials starting with the President himself.

Considering the above, the People's Ombudsman has been able to confirm that official discourse is a secondary tool of criminalization in that it has allowed government authorities to build negative stereotypes in Ecuadorian society against those who mobilize in defence of human rights and nature and who challenge government policies.

...So through Citizens' Networks, national chains, speeches made at public events and press releases in state and private media, the government has succeeded in positioning the subject on the public agenda and in consolidating social support to delegitimize the protest actions of those who defend constitutional rights." ⁷

⁷ National Directorate for the Promotion of Human Rights and Nature. "Scenarios of the criminalization of defenders of human rights and nature

4. The role of women and the presence of the Women Defenders of the Pachamama Front in the conflict for the Río Blanco project

It is crucial to understand the process of how farmer women, many of them with little education and organizational experience previous to the, became Rights Defenders and activists in the opposition against megaprojects.

It was mainly the protection of water they see as a fundamental mining conflict resource for life what led them to abandon the domestic setting to take part in the opposition process.

The impact of mining in the quality and quantity of water is one of the main causes for women to participate in activism against mining. Women highlight the fact that the proposed areas for mining coincide with the source of the streams and rivers that sustain their communities and the whole country. They use evidence from other sites about water pollution from mining activities, primarily with regard to the possible presence of cyanide, mercury and base metals that pollute the water... because they are responsible for harvesting and animals, women feel these threats deeply. Also, many women explain their activism

in terms of the possible impact of water pollution on their families' health..."⁸

Becoming aware of the risk to their living spaces, especially water, and of all the implications this may carry, is what motivated them to participate actively in the protection of their means of survival.

Later, women began to reflect collectively and broaden their knowledge and concepts about ecosystems, the relationship between humans and nature, the environmental and social impacts of mining, and Human, Gender and Natural Rights, as stated by Rosio Pérez, current Coordinator of the Women Defenders of the Pachamama Front:

"Previously, at the start of this fight, it was only about water, water, water and nothing else, but now it's about our rights, water, life, the ecosystem; that is, that these words would not exist in our vocabulary if not thanks to the organization..."⁹

⁸ Jenkins Katy. Unearthing Women's Anti-Mining Activism in the Andes. Northumbria University. July 2012
<http://www.northumbria.ac.uk/static/5007/sasspdf/LAMMPSpanish.pdf>.

⁹ Interview with Rosio Pérez, Coordinator of the Women Defenders of the Pachamma Front, in "Social impact of large-scale mining in the exploration phase and the role of the Women Defenders of the

They acquired a deeper understanding of the impact of mining and broadened their scope toward its social effects. Now, when they speak of the mining problem they refer to its different aspects, as shown in what Marcia Ortiz, associate of the Women Defenders of the Pachamama, has said:

"Another issue is the pollution and illnesses caused to the people in close proximity, and not just pollution and illness, but also the poverty that exists next to the mining activity, which means mining is there but the villages around it are so poor they don't even have electricity; we've seen that the mining situation in so many places has really brought destruction to the people, land and villages around it, and that it's devastating for these poor people." ¹⁰

Since 2008, when the Women Defenders of the Pachamama Front was formed by women from different communities of Azuay who had been affected by mining, amongst them from the Molleturo parish, the organization came to play a main role in the opposition

Pachamama in the opposition to the Rio Blanco and Quimsacocha projects," Solano Ortiz, Lina. 2013, Pg. 122.

<http://dspace.ucuenca.edu.ec/bitstream/123456789/4701/1/TESIS.pdf>.

¹⁰ Interview with Marcia Ortiz, Board Member of the Women Defenders of the Pachamama, en Ibid, Pg. 122.

against megaprojects, especially those of Rio Blanco and Quimsacocha.

The Women Defenders of the Pachamama then began to act in different fields to protect Human Rights:

On an international level, especially as part of the Latin American Women's Network (ULAM), they contact human rights organisms and organizations to report cases of rape, primarily against members of the Front. They attend a diversity of international forums where they make their voices heard and gain access to the media of different countries.

On a national level, they also approach institutions such as the Office of the Ombudsman and attend activities in different provinces in order to report and talk about their experiences.

Locally, especially in the city of Cuenca, home of the Front's headquarters, it has organized protest activities, paperwork, and events to raise awareness, educate, and motivate to protect people's rights.

In their own communities. This is the field of everyday activity where they face directly any and all issues related to the presence of mining companies.

Through their activities, the Defenders of the Pachamama try to sensitize, educate, inform, raise awareness, and create spaces to promote thought, especially about human rights in connection to the environment and those of the Pachamama. An example of this are the "S.O.S. Pachamama" Student Competitions that have taken place 4 consecutive years in the month of April to celebrate International Earth Day, and which in 2013 gathered 25 schools from Cuenca and its surroundings around the subject: "Youth for the right to live in a healthy environment."

In the specific case of Rio Blanco, the Women Front has set up, together with other organizations such as the Popular Coordinator in Defense of Molleturo, the San Felipe de Molleturo Commune, the Water and Irrigation Council of the parish, the Association of People Affiliated to the Social Security, amongst others who, thanks to the massive participation of the population, have categorically rejected mining.

It has also acted to drive paperwork at the Office of the Ombudsman as part of the CNDVS. One of the most important measures has been collecting signatures¹¹ from the population of communities that are being affected by the Rio Blanco project, who confirm that no information nor Prior Consultation have been provided. The Office of the Ombudsman in Quito has also been subject of direct pressure to demand a statement about the requests made.

In 2011, the Front led the rejection to the socialization of the Environmental Impact Study of the Rio Blanco project, which was a mere formality demanded by the Ministry of the Environment as part of the process of approval of the exploitation permit. Also because of the attempt to expedite the signature of the exploitation contract between the government and the IMC, amidst the favourable circumstances represented by the fact that the company's manager, Federico Auquilla, was at the time also Assistant Minister of Mining.

¹¹ "Front introduces signatures against mining project", El Mercurio newspaper. http://www.elmercurio.com.ec/317912-frente-presenta-firmas-contra-proyecto-minero/#.UxO5_eN5Nvl

Together with the rejection of socialization, the Front got an expert in environmental impact studies from the Environmental Law Alliance Worldwide, ELAW, to check and comment on the Study of the Río Blanco. In 2012, the Technical Consultant at ELAW, Mercedes Lu, introduced a report¹² introducing 28 observations that describe the serious flaws of the study. The Women's Front presented these observations to several authorities amongst them the National Management of Pollution Prevention of the Ministry of the Environment in Quito, where the study is in the process of being approved. Then, the Ministry itself will introduce 121 observations to the study about the exploitation phase and over 80 to the study in the benefit phase, where the information of said documents is confirmed incomplete, outdated, erroneous and lacking references. The study in the exploitation phase, for example, lacks a baseline about the flora and fauna, when this is a place of biosphere conservation; it also fails to provide an adequate definition of the social area directly and indirectly influenced by the project.

¹² Notice to the Ministry of the Environment about Observations to the Río Blanco study.

http://defensoraspachamama.blogspot.com/2012_09_01_archive.html

All these concerns have deepened with the August 2013 presentation of the Report by the French Office of Geological and Mining Research (BRGM), hired by the Cuenca Municipality to analyse the mining projects in the cornerstone. The report presented by BRGM sets forth an alert about, among other things, the Rio Blanco study lacking information about subterranean and even superficial water sources in the affected area.

All observations made by Mercedes Lu and BRGM, and even the Ministry of the Environment, show the potential grave risk to the ecosystems and communities if the Rio Blanco project was to take place, reason enough to not issue the exploitation license by applying the principle of CAUTION. Nonetheless, since the main reason is not the mining business, but instead financial interests, the threat of approval of the exploitation permit for this megaproject is still a latent threat.

With all the information generated by the aforementioned sources, the Women Defenders of the Pachamama Front has made several public statements on the media to express its disagreement with the Environmental Ministry in processing the study without any scientific and technical value, and its intention to issue the exploitation permit to a project whose authorizations have, in

principle, not been consulted and become extinct with the Mining Mandate. The Women's Front has also set up information events on this subject in the Molleturo communities.

5. The Current Situation of the Conflict

For the time being, the Junefiel Company, current owner of the project, is continuing the process of approval of the study for the exploitation phase at the Ministry of the Environment in Quito.

As for the government, it insists on carrying on with this project, leaving in place the constitutional violations committed in the name of our "national interest." It is worth mentioning that, while its policy is criminalizing the opposition, a new strategy is being implemented: allowing construction directly on the communities where the opposition has been the strongest, through an entity created to channel the budget required, that is, ECUADOR ESTRATÉGICO, which carries out a full promotion campaign about the "benefits of mining," and a publicity stunt meant to demonstrated the alleged "new mining," which is why such strategy deserves specific analysis not included in this article.

Additionally, the communities remain alert to whatever happens in the process of approval of the study and the new circumstances

arising from the change of the authorities of the parish, the cornerstone and the province, after the results of last elections, on February 23rd. Although it should be acknowledged that the strategies implemented by the government have caused a reduction in the demonstrations, in addition to other factors such as using this fair struggle for electoral and other purposes.

As an organized sector of the opposition, the Women Defenders of the Pachamama Front continues its ongoing labour of reporting, informing, raising awareness and sensitizing, with new projects such as radio appearances with the program "WARMI Voces y Acción" (WARMI Voices and Action), and others being prepared for the following months.

Conclusion

The conflict on the Rio Blanco mining project sets human and natural rights face to face with the particular interest of a corporation that aims to profit from extracting gold and silver, and a government and a State that protect those private interests in order to gain part of the benefit.

This is proven by the fact that in spite of having acknowledged the violations to the constitutional rights committed by issuing of

mining permits without information or Prior Consultation, and by a Constitutional Mandate that eradicated them on several grounds, so that the Chinese corporation Junefield keeps the 4 concessions it currently has on Rio Blanco and is in the process of obtaining the environmental license to begin exploitation.

The government, on the other hand, insists on developing this project in spite of the alerts set forth by several scientific and technical reports about the eminent danger to the ecosystems that would be affected by the mining operations in Rio Blanco.

There is a power imbalance in this conflict that allows the government and the State to strike against the communities whose most effective means of claiming their rights is by protesting. Criminalization and litigation against protests, as well as human rights violations, have been the only reply the communities of Molleturo have obtained.

In such a scenario, a group of women affected by the mining megaproject of Rio Blanco have had to abandon their domestic setting to become activists, which has made them targets for the violation of their rights, criminalization and criminal prosecution. In spite of the adverse circumstances they face, women have been

able to organize and join the women of other communities in Azuay, becoming one of the main actors in this socio-environmental conflict, thanks to their daily and consistent work to ensure human rights and the rights of the Pachamama are prioritized above corporative ambitions.

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