

BREAKING THE SILENCE

RURAL AND INDIGENOUS LATIN AMERICAN WOMEN SPEAK ABOUT THEIR WORK AS DEFENDERS OF LAND AND ENVIRONMENTAL RIGHTS DURING A VISIT TO BRUSSELS, GENEVA AND LONDON

I. Mining and development.

Although human and environmental issues were the dominant concerns cited by all the women, they also questioned mining as the “right” development path for rural and indigenous communities.

For the delegation, the fact that their governments had selected mining as the chosen engine for development was an indication of the growing demand for resources rather than its potential contribution to the improvement of their communities. Despite co-existing with mining projects, each woman felt their communities did not show any improvements; they remained abandoned by governments and lacked very basic public services. Environmental contamination, lack of mechanisms for obtaining recourse, the criminalisation of relatives who opposed mining as an activity of “national interest” were in the delegation's view an indication of the increasing complexity of the situation faced by vulnerable indigenous women as a direct result of mining.

For the delegation, loss of land together with the disintegration of their communities confronts women with new pressures and problems as they struggle to feed their older relatives and own families despite severe contamination. According to the delegation, women's workload had increased significantly; from attending to relatives and children ill with pollution, to dealing with the scarcity of clean water and having to live in fear that mercenaries will come in the night and shoot their relatives. Mining “brings revenue to governments at the expense of our tranquillity and future” (Maria Eliza, Guatemala). Whilst speaking of their inability to cope with such severe problems and the fear that they would not be able to protect their families, the delegation asked: “Is this development?”.

II. Land Rights

A key element in the discourse of the women's delegation was the importance attached to land by rural and indigenous communities, in contrast to the lack of political will among governments who across Latin America refuse to recognise indigenous people's rights over land and natural resources. Maria Eliza Orozco (Guatemala) constantly repeated that her struggle was for land. “We are the legitimate owners of our land”. Zenaida Romero (Venezuela) : “We have lost almost all our ancestral territory. Although we are not campesinos the government gave us new titles but for small plots of land. Also the new land titles establish that we (the Yukpas) have to share our land with campesinos, cattle ranchers and mining projects”.

The delegation identified loss of land as the main factor underpinning poverty among rural and indigenous communities. Although they agreed that a mining project impacts on the community as a whole, loss of land is the most critical factor as it generates a chain of events and reinforces the cycle of deprivation to which

rural and indigenous communities are exposed. Zenaida Romero (Venezuela) argued that as a direct result of loss of land in the early 50's the Yukpa people were displaced and forced to occupy inhospitable areas in the Mountains of Perijá. Their current struggle is to recover lost rights to their ancestral land.

Maria Eliza Orozco (Guatemala) spoke of companies grabbing the best land and depriving them (the Maya Mam) of their livelihoods, with the added problem that water and environmental contamination in turn give way to health issues.

Although the issue of loss of land is a collective concern, the activists also recognised that as women they confronted specific problems. For example as women seldom own land they were not entitled to compensation, nor were they consulted about forthcoming developments on the land. In this way, mining and development issues have emerged as new areas of exclusion for women. Another issue that impacted on women in particular was the tensions and violence between groups struggling for land control. The fact that some people were willing to sell whilst others were against it created a climate of distrust and animosity among neighbours which often was exacerbated by the presence of the army sent in to ensure that the companies' activities were not interrupted. Zenaida (Venezuela) and Margarita (Peru) reported having direct experience of violent attacks by pro-mining neighbours. Zenaida recalled that her sister's husband - a land rights activist - was taken from his house in the middle of the night by unknown people who shot him in the head and gouged out his eyes. Margarita was overwhelmed by emotion when she gave details of a serious attack on her nephew who was knifed by a pro-miner who had previously threatened to kill her. Neither event has been investigated by the authorities.

III. About the lack of opportunities for governments, companies and communities to come together to address issues of concerns to the affected people

With the same spirit that communities mobilise in protest against the imposition of development projects, they also organise public referendums. With pride Maria Eliza (Guatemala) reflected that in March 2011 she helped to organise a referendum on a mining and hydroelectric projects. Although in Latin America local referendums are not considered binding, either by governments or by corporations, they are increasingly becoming a way in which communities give social legitimacy to their opposition. The absence of spaces for dialogue coupled with the branding of opposition as terrorism and the denial of indigenous peoples' right to prior consultation on legislation or infrastructure projects that may have an impact on them puts governments and communities in direct confrontation. Given this state of affairs, Maria Eliza (Guatemala) saw local referendums as the only democratic exercise left to them, adding that among her people there is an expectation that in the future local referendums would be respected and their results used as the starting point for any discussion between communities, governments and corporations.

IV. Issues of protection

Listening to the women defenders describing the range of obstacles they face on a daily basis, it was clear that they and their families had experienced significant violations to their rights: from threats, lynching and intimidation to killings, legal charges, defamation and illegal imprisonment to name just a few. It is not surprising then, that after describing the persecution they had suffered in the context of their work those who heard the women's courageous stories were stunned. Some

stories were more horrifying than others. Zenaida's (Venezuela) brother-in-law had his eye gouged out with a wire. Margarita (Peru) still lives with the debilitating psychological effect of knowing that she was chased through her town by a mob of angry men who wanted to lynch her. Despite the time elapsed since these incidents it was evident that the women were overwhelmed by their memories and pain.

Unfortunately, over the years their situation had gone from bad to worse. Lack of support, blacklisted from taking part in community meetings on the ground that they are troublemakers, isolation coupled with gender discrimination are just some of the many factors that the delegation identified as making women defenders prone to mental health issues. But what hurt the women most was the impunity surrounding their cases. So far none of their allegations have been investigated, and the men who attacked them and/or their families continue to intimidate them in the knowledge that nothing will happen to them. Although the company (Lisandro Proaño) sued by Margarita has systematically rejected all charges, what Margarita resents most is that it has used all kind of legal technicalities to prevent the court from passing sentence. This explains why after 12 years the legal process is still going on.

Reflecting on her experience as an older woman activist, Margarita added a new risk dimension: increasing hostility towards older women who became activists and take part in political protest. Margarita became an activist when she was in her early forties motivated by violations of human rights "I am a poor, old woman but I am a human being". This sense of injustice is what still drives her now. But social attitudes against older women who become activists question her contribution and the need for her to be politically active. Drawing from her own experience of looking after her mother, Margarita said: "They want me to be silent, but women live longer and when we get older we depend on our daughters. It is harder to survive if our daughters don't have land or dare not speak".

V. Recommendations

Va. Accountability

It is the responsibility of European policy-makers to set very high standards of accountability for European-based corporations. Through their harrowing stories, the women provided irrefutable evidence that European companies are routinely ignoring international mechanisms such as International Labour Convention 169. The delegation urged European members of parliament to remain vigilant of companies, and to ensure that they match their rhetoric about corporate social accountability with real, measurable outcomes on the ground. Accountability was considered by the women as a real measure of commitment to uphold social and environmental standards.

Vb. Engaging communities, engaging women

Without listening to communities directly affected by development projects, neither states nor companies will be able to learn from their shortcomings. However, participation in decision-making processes must be open to everyone. The delegation encouraged policy-makers and civil society organisations to take urgent action in support of grass-roots women's groups and ensure that women's groups are visible at the local, national and international level. In order to improve the quality of community consultation, the women's views, experiences and aspirations must be included.

Vc. Development cannot be measured in economic terms alone

Strong communities are essential to achieving long-term sustainable development. Governments and companies alone cannot decide the future of rural and indigenous communities. Input from men and women directly affected by development projects add practical meaning to the notion of social and environmental accountability.

Vd. Recognising indigenous' peoples' rights

All Latin American nations should implement national legislation that recognises land rights and the right to prior consultation in accordance with international agreements. Measures should be implemented in the meantime to ensure that the results of community consultations are respected and considered as binding by governments and corporations.

Ve. Protection of women activists defenders of land and environmental rights

Remove political violence and criminalisation of women activists in the context of the extractive industries, and support the efforts of women's groups to raise awareness of the specific needs of women activists, in particular those who like Zenaida Romero (Venezuela) live in remote and isolated areas.

Margarita Perez (Peru)



Margarita's struggle for justice has lasted more than 12 years. During this time she has led a legal process against Lisandro Proaño over claims that it damaged their community land and caused severe health problems to the inhabitants of San Mateo de Mayoc. Margarita alleges that the company Lisandro Proaño not only failed to consult the community regarding the use of the adjacent forest for the purpose of building a toxic tailings pond but that in fact they were deliberately misled as the company spread the rumour that the land would be used to build a park for the children. The company's practice of dumping tons of toxic waste not far from her house caused extensive erosion and damage to the soil which burned and turned black, rendering it unsuitable for farming. Although the company eventually moved the toxic waste elsewhere, the land left behind was not prepared so what used to be a beautiful forest remains to this day a burnt, desolate site. In spite of the fact that the company has systematically rejected the allegations and used all kind of legal technicalities to prevent the court from passing sentence, Margarita expects that one day the company will be ordered not only to restore the land to the condition it was in before it was used for dumping toxic waste but also that the community will be fairly and equitably compensated for all damaged caused to its inhabitants. Like other member of the village, Margarita was poisoned by the toxic metals inhaled for more than two years. Margarita feels the sense of injustice is exacerbated by the fact that the people who have attacked her and her family are free and the authorities have dismissed her complaints.

Zenaida Romero (Venezuela)

Although Zenaida is a young Yukpa leader in her early twenties, she recalled that she was about 12 when she first heard her sister Guillermina speaking about the possibility that her father Chief Sabino Romero would be killed by mercenaries who wanted to silence his opposition to development projects within their land.

During her father's two-year spell in prison, Zenaida's mother, her aunt and her sister were sexually molested by soldiers in the barracks where Chief Romero had been taken. "Among us, no one told anybody what [the soldiers] were doing to us. We didn't report it to the police or anybody in our family until my sister Guillermina refused to visit her dad." For Zenaida this experience was crucial, as it made her realise that it wasn't an isolated attack. It was a collective experience: they were targeted because they were powerless indigenous women. Zenaida believes the needs of indigenous women activists are complex because they are immersed in a world of evictions, fear of violence, care of the children, lack of opportunities as well as the increasing impact of alcohol abuse among indigenous men.

Zenaida's decision to fight for land rights exposes her to great risks. In October 2012 she was shot and wounded during an attempt to defuse a confrontation between her people, the army and landowners who occupy the Yukpa's land with government consent.

Maria Eliza Orozco (Guatemala)

Eliza currently forms part of the political leadership of the Mayan Mam nation as a councillor for Quetzaltenango. The objective of the Council is to reconstitute the Maya Mam nation as one of the original nations of Guatemala, and subsequently to be recognised as one of the original world nations. The Maya Mam Council is not an NGO, nor is it a political party. It is an indigenous institution conceived from the Mayan world-view and calendar as an expression of ancestral self-government of the Mam people.

The Maya Mam Council members work with the Commission for the Defence of the Territory in San Martin Sacatepequez, and from there Eliza has formed part of the Mam Council team which has held conversations with the government in Quetzaltenango and the Guatemalan Ministry for Energy and Mines.

As a women, Eliza has taken a special interest in highlighting the impact of these mega-projects on the women. Her work has been key in developing and carrying out the community consultations, based on traditional methods of taking decisions.

The community consultation in San Martin Sacatépequez on the company Talcanac and its project to build a hydroelectric plant was held on 16th March 2011. A total of 17,871 voters rejected the mining and hydroelectric projects in the zone; more than half were women. (10,146 women said "No" to mining and the hydroelectric plant.) This community consultation was held within the framework of consultations in the Mam region.



About the Latin American Mining Monitoring Programme (LAMMP)

LAMMP provides rural and indigenous women activists with a space and resources for discussion of the obstacles they face as defenders and for exploring their gender-based experiences in the context of their work. The tour was funded by The City Council of Geneva and the European Union "European Instrument for Democracy and Human Rights (EIDHR)