Conflict resolution strategies in water disputes between communities and mining companies in Peru

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Increasing Mining concessions → Socio environmental conflicts
Peru: Socio environmental conflicts
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Source: Defensoría del Pueblo 2016
Cajamarca region - Peru

Andean valley
Small scale agriculture
Irrigation canals

Livestock production
Dairy products supplier
Yanacocha (actions & impacts)

- Open pit gold mine
- Located at headwaters areas
- Dewatering of groundwater & surface water sources
- Use of cyanide in operations

- Depletion of water flows
- Pollution of land and water
- Restriction of farmers’ water access, use, rights

Owned by Newmont (USA), Buenaventura (Peru) & IFC (World Bank)
Communities’ complaints: Land and water resources were affected (less or not water in the canals)

No development projects or benefits for communities
Socio environmental conflict

Agreement: “Combayo Act”

Water management studies (IDB)
Investment & development plans

→ The company proceed with operations

But
Water resources depleted, communities’ were not informed & their complaints were dismissed

By E. Dijkhoff
Farmers questioned the way the company got authorized to proceed: concerns about information sharing & social license to operate SLO

- **Operating within the law**
- Environmental Impact Assessment EIA & water permissions for extraction, management, treatment, disposal

“They could do as they pleased in their concession”
Technical strategy

- Sources dried up, water depletion persisted → communities were not aware/informed about operations or decisions

- Technical knowledge/expertise supporting operations
  - Assessments of mining impacts
  - Involving of international funds/consulting company
  - Providing treated water from the mine/mitigation
  - And when complaints appeared ...

  “there are studies going on by an international company!”
Conclusions

- Strategies were effective to temporarily reduce tensions.

- Company makes sure that:
  - what it proposes to do is legally right just by obtaining required permissions → “operating within the law”.
  - what it did is scientifically sound → scientific EIAs, proposing technical strategies to mitigate impacts.

- From a long term/ sustainability perspective: water-based ecosystems and communities’ livelihoods were not considered.

- Mining conflicts cannot be treated only as technical/legal problem, it is required, to explicitly admit that they are inherently political, situated and power-laden.
Thank you!!