

Second interim report (February 2019) – Lay Summary

**Conversing with Goliath?: Participation, mobilisation and repression
around neo-extractivist and environmental conflicts**

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In the second year of the project, the research team continued collecting data for the national newspaper review (2006-2017) on conflicts related to extractivism, distributed a survey to stakeholders with knowledge on the extractive industry in Mexico, implemented network analysis and carried out three in-depth case studies in communities located in the states of Sonora, Tabasco and Oaxaca. This summary report presents the initial case-study findings, supported by some of the newspaper review and survey findings. The detailed findings of the data collection can be found on <https://conversingwithgoli.wixsite.com/misitio/el-proyecto>

The case studies were selected based on saliency, variation in participatory institutions and research safety. Data were collected between April and October 2018 through mainly 80 in-depth interviews to activists, NGOs, politicians, government officers, business officers, journalists and academics.

From our newspaper database, Sonora and Oaxaca were the top two states (above the median) reporting higher number of conflicts related to mining, and after Chiapas, Oaxaca and Sonora were ranked within the top three states reporting mining conflicts with violence. These rankings provided a foundation from which to select our case studies on mining. The communities studied were: Cananea and the Rio Sonora region (Sonora) and Capulalpam de Méndez and Natividad (Oaxaca). The newspaper review also shows that the most common repertoires of action that communities use to suspend/cancel a mining project, obtain economic compensation from state/businesses or minimise violence are institutionalised processes (i.e. socio-legal action), as opposed to non-institutionalised processes (i.e. street protests or mine closures). Our case studies confirm this finding as the communities in both Sonora and Oaxaca use with frequency socio-legal mechanisms to issue a series of lawsuits (*amparos*) to sue government and mining corporations against violations to their human rights (especially environmental).

From the stakeholder survey, one of the findings show that the respondents from the public-civil sector perceived agrarian assemblies (both types *ejidales* and *comunales*) useful to discuss whether an extractive project should be implemented. Agrarian assemblies were also perceived by this type of respondent the most effective vehicle for communities to impede the installation of a project in their territories. However, the private-sector respondents believed that the most effective factor to stop a project is the community's capacity for mobilisation and protest. From our case studies, the communities in Oaxaca, especially Capulalpam, confirm these survey findings as the president of the communal assembly plays a central figure in responding to mining and territorial conflicts. His centrality has been important in establishing control

capacity to deal with dissidence inside the community, while developing a high capacity to hold wide and diverse alliances with external actors, such as federal and state agencies, congressmen, local and international academics and NGOs.

In the communities in Sonora the agrarian assemblies do not play as important role as in Oaxaca. However, these communities, through labour unionism and grassroots organisation have shown capacity to mobilise against the mining corporation. However, given that these communities are highly dependent on mining they are unable to stop the expansion of mega-mining projects. The 2018 state government initiative to promote a Special Economic Zone, favouring mining exports, broke linkages between the grassroots committees, on the one hand, and the historical mining union, state and federal government representatives and congressmen, on the other. The latter left the grassroots committees only allied to an international NGO to commence a legal war against the mining corporation and government agencies (federal, state and municipal). Several of the lawsuits have reached the highest levels of the judiciary system aiming to win their case in favour of participation in planning and development of the mining sector in the region.

The Sonoran case exemplifies the survey findings reporting private-sector respondents' belief about violent conflicts in the extractive industry occurring mostly because NGOs are present in the community. This finding indicates that NGOs are considered a threat to the interests of private corporations and consultancies, because they provide technical and legal knowledge to communities that lack these skills to fight or counter the corporation's interests, which frequently exclude communities from planning and remedial programme decisions.

Tabasco was chosen as a third and emblematic case of environmental conflict in the hydrocarbon industry (oil fields and gas pipelines). The newspaper review indicates that Tabasco is the top state with regards to conflicts in oil fields and is in the top five with regards to gas pipelines. In contrast to other parts of the country where socio-legal action against extractive corporations or governments who violate human rights takes place, these communities only focus on temporary road blockages and economic compensations. The latter are insignificant given the environmental and health damage that families experience. Agrarian assemblies exist but are irrelevant and social mobilisation has been numbed by authoritarian-like and clientelist electoral practices as well as violence against those who rebel against PEMEX, the state-owned oil enterprise.

In the region, 'PEMEX is the state' and overshadows the competencies and overweight that other government agencies may play to bring PEMEX into account. The centralisation of power that PEMEX holds and its tactics of absent accountability and deceit are indicative of the simulated consultation and dialogue that oil/energy enterprises must carry out since the 2013 energy privatisation reforms. These reforms underline that social and environmental impact assessments (EVIS/MIAS) must be developed by informing communities and inviting their participation to develop the project or, in extreme cases, suspend/cancel it if in detriment to their wellbeing. Our data show that communities are also unaware or disinformed about EVIS/MIAS, hence incapable to stop a new or existing oil project.

Our case studies show that community mobilisation and participation is more advanced in mining than in hydrocarbon projects and this is in great part because communities affected by mining have resorted to agrarian law and have counted with support from local and international NGOs to sharpen their knowledge and skills to

counter corporations' decisions. (It is worth noting that the weak civil society organisation in Tabasco is perhaps exceptional and our findings cannot be generalised to other regions). Where civil society participation is low, NGOs have also played an important role to help them organise. These social developments are disliked by the private sector who tends to believe that policies of corporate social responsibility and discourses of 'good governance' are the best way to minimise violent conflict, but these discourses are not designed to accept that the development of these projects may be rejected by the community. As our survey also shows, the belief of the extractive sector being an important engine of economic development is too well ingrained in businesspeople and politicians' minds.