

**FONDO
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américa latina y el caribe



WOMEN DEFENDING THE TERRITORY

Experiences of participation
in Latin America

WOMEN DEFENDING THE TERRITORY

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in Latin America

THE URGENT FUND OF LATIN AMERICA is an independent, nonprofit organization whose strategic mandate is to protect and promote women's human rights through Rapid Response Grants, Collaborative Initiatives, researches and publications

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PRESENTATION

The Urgent Action Fund of Latin America, UAF-LA, is a civil society feminist organization, the mandate of which is to protect and promote the human rights of the diversity of women and their organizations, in all countries on the continent, through funding within a rapid response time-frame, collaborative initiatives, research, and publications.

Based on Rapid Response Grant applications, the UAF-LA created the Collaborative Initiative, 'Women, Territory, and the Environment' with the objective of responding to the needs of women and their organizations in the region. This Initiative roots itself in the framework of new paradigms such as 'Healthful Living', the rights of nature, and advances in the recognition of women's environmental rights, which come up against the accelerated expansion of extractive industries and the increase in attacks and criminalization of women who struggle to defend their territories.

To consolidate this line of work, we have convened various regional encounters; the first in Santander, Colombia in February, 2104, and the second in Mindo, Ecuador in October of the same year. In these spaces, women were able to share successful experiences and proposals and to elaborate a plan of action to be developed collectively, around three axes: solidarity and reciprocity; networking and communication; and formation and spirituality.

With the same intention, we held the National Encounter of Women Defenders of life confronting extractivist activity, in August, 2015 in Fusagasugá, Colombia, in alliance with CENSAT- Agua Viva. During the Encounter, more than 50 women from Colombia, as well as international invitees, discussed the impacts of the extractivist model on women's lives and bodies and constructed proposals for strengthening their struggles.

In October, 2015, we prepared a Regional Report and presented a thematic session before the IACHR on modalities of criminalization and limitations on the effective participation of women defenders of environmental rights, territories, and nature in the Americas, accomplished with the participation of distinct organizations and women's funds from Meso and South America.

The work presented here, arose from a joint proposal during the encounters facilitated by the UAF-LA, where, on the one hand, the general lack of mechanisms for women's effective participation was identified; and on the other, the need to give recognition to their fundamental role in the impetus for popular, community, and autonomous consultations and the demand for prior, free and informed consultation within a framework of defense of territories vis-à-vis extractive activity.

This document is framed within our commitment to collective knowledge creation, the goal being to set out issues for debate and to enrich the practices and experiences of activists and their organizations. As a result, it has been constructed with articles and written testimonies from women activists and defenders of territories. The objective is to ensure that the participation of women in consultation processes is made visible, by referring to the following elements:

- The place and relevance of consultation mechanisms in contexts of defense of territory and the environment, emphasizing limitations and opportunities for women and their communities.
- Existing barriers and pressures exercised by public and private actors to obstruct women's participation in consultation processes and decision-making spaces.
- The diversity of struggles, proposals, and repertoires for action led by women in the defense of their territories and nature, in varied contexts in the region.
- Critical understandings of the extractivist model, emanating from women's voices and feminist perspectives.

In the first part, UAF-LA provides a general overview of women's participation in the region, presenting women's perspectives and experiences with prior consultation, and with popular, community, and autonomous consultations; as background, we rely on contributions from women in Colombia, Ecuador, and Guatemala, gathered through interviews during the second semester of this year (2015). In a second moment, women from Guatemala, Ecuador, Bolivia, and Argentina narrate their struggles in their own voices, through four texts describing local and national experiences.

We would like to thank all the people who have made this publication possible. To Lorena Cabnal, Gabriela Ruales, Ángela Cuenca, Carmen de las Nieves y Sofía Gatica for responding to our request to be part of this shared proposal through their writings; and to Lina Solano, Yolanda Oqueli, Yadeny Aguirre, Dora Lucy Arias y Eva Grueso, for contributing their voices and experiences.

Our hope is that this document will be useful to organizations and activists working to defend nature, territories and the environment in Latin America and that it contributes to knowledge construction and action proposals related to this thematic.





WOMEN'S PARTICIPATION
IN CONSULTATION PROCESSES
WITHIN THE FRAMEWORK OF
DEFENSE OF TERRITORIES AND
NATURE IN LATIN AMERICA



WOMEN'S PARTICIPATION IN CONSULTATION PROCESSES WITHIN THE FRAMEWORK OF DEFENSE OF TERRITORIES AND NATURE IN LATIN AMERICA

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URGENT ACTION FUND OF
LATIN AMERICA AND THE CARIBBEAN

INTRODUCTION

Beginning in the 90's, Latin America has become one of the world's epicenters for the expansion of extractive frontiers. During this time, the importance of the region in the production of several metals has increased significantly: in the case of gold and copper, production doubled, going from 10% to 21%, and from 25% to 45%, respectively. Silver production increased from 34% to 48%, of refined copper from 15% to 20%, and of molybdenum from 16% to 24%.

Political and regulatory reforms, favorable to extractive industries in the region, have made it the principal recipient of international investment in mining exploration, currently capturing 30% (more than 210,000 million dollars) (CEPAL, 2013). This expansion has produced high levels of social unrest and has generated pressure on strategic ecosystems, such as the Amazon jungle, high-level plateaus, forests and systems of high Andean lakes, headwaters, and glaciers (OCMAL, 2015). Currently, there are more than 490 (EJOLT, 2015) social-environmental conflicts in the region, Colombia, Brazil, Ecuador, Peru, Argentina, and Chile being the countries most affected.

The extractivist model, which has deepened its roots in all countries of the region, including those considered progressive and anti-neoliberal, can be characterized by the following:

- In the majority of cases, exploitation is controlled by transnational companies that send profits to the exterior, while the living conditions of local communities become increasingly more precarious.
- The exploitation of new deposits requires mega infrastructure and plentiful sources of energy and water.
- National economies return to dependence on primary goods² and increase their foreign debt and technological dependence, while at the same time generating few labor opportunities.
- Fiscal vulnerability increases due to the volatility of prices for resources on international markets (Acosta, Martínez, Sacher, 2013).

This model involves not only the exploitation of hydrocarbons and minerals, but also the construction of energy infrastructure, the imposition of mono-cropping, agro-combustibles, and forestry plantations. In addition, it generates irreversible environmental impacts

1 In Latin America, this phenomena is the consequence of the 2008 world crisis. Countries attract foreign investment for the extraction of primary goods, weakening other economic sectors. The model is characterized by the promotion of extractivism for insertion into international markets, by scarce diversification of other sectors, and by unstable and poorly paid labor. The return to dependence on primary goods is "a route that deepens depletion of the natural resource base, as well as environmental degradation. Negative externalities and social-environmental liabilities affect the territories of origin of the extractive resources, in exchange for low income for said exports" (León Rodríguez, 2012, p. 257).

2 In Latin America, this phenomena is the consequence of the 2008 world crisis. Countries attract foreign investment for the extraction of primary goods, weakening other economic sectors. The model is characterized by the promotion of extractivism for insertion into international markets, by scarce diversification of other sectors, and by unstable and poorly paid labor. The return to dependence on primary goods is "a route that deepens depletion of the natural resource base, as well as environmental degradation. Negative externalities and social-environmental liabilities affect the territories of origin of the extractive resources, in exchange for low income for said exports" (León Rodríguez, 2012, p. 257).

such as deforestation and contamination of soil, water, and air; and likewise leads to cultural violation and destruction in local communities, leading, on occasions to their disappearance (Acosta, Martínez, Sacher, 2013).

Extractive mining, hydrocarbon, and hydroelectric projects are implanted through the dispossession and displacement of rural and urban communities, limiting their access to natural goods, dismantling their traditional ways of life, and hindering the exercise of food sovereignty and women's autonomy and that of communities (Urgent Action Fund-LA and CENSAT Agua Viva, 2015).

In this context, Latin American women of different origins and through diverse organizational forms, have developed strategies of resistance and regional articulations to defend life and their territories. In this process, they have constructed specific understandings of the extractivist model, identifying differentiated impacts according to gender, and denouncing its patriarchal and racist nature.

Among specific affectations on women, the loss of economic autonomy, overload in the work of caring, and increased precariousness of working conditions, are highlighted. Causes are related to the dislocation of local economies and the brake down of "prior forms of the social production of life, which are now reoriented towards the operation of the dominating presence of the companies. In the communities, such a process installs a highly masculinized productive economy, accentuating the sexual division of Labor" (Gartor, 2014).

In addition, the deterioration of physical, emotional, sexual, and reproductive health, as a consequence of the contamination of water, soil, and air, is highlighted; as are the exacerbation of physical, psychological and sexual violence and the insertion of adolescents

and girls into sexual markets (Gartor, 2014). The militarization and territorial control exercised by private companies increase women's risk and vulnerability (Urgent Action Fund-LA and CENSAT Agua Viva, 2015).

In addition to the consolidation of environmental legislation favoring private interests and reducing the margin of action for women and their communities, the systematic infringement of the right to participate in affairs of public interest is also noted. Participation and consultation mechanisms regarding environmental issues are weak, non-binding, contrary to the legitimate interests of social organizations and movements, and frequently confronted by legal or administrative obstacles (OCMAL, 2015). This situation is worse for women who, despite their daily struggles and contributions in search of alternatives to extractivism, have to confront historic discrimination, both in their community and organizational contexts, as well as by State institutions, in order to influence decision-making.

Despite numerous provisions in international treaties to guarantee women's participation in matters related to the environment, the non-existence of specific mechanisms for this purpose, and the absence of a gender perspective in existing participation mechanisms, is evident in the countries of the region. To the contrary, there are warnings about the increase in persecution and criminalization of the work of women defenders of the environment and nature, by public and private officials³.

What follows is an overall regional panorama related to women's participation in defense of territory, specifically within the context of prior consultations, as well as autonomous, community, and popular consultations. The purpose is to emphasize the particularity of women's demands and perspectives, barriers to the effective exercise of their participation, and repertoires for action that women have autonomously generated, and which lead to positive transformation for them and their communities. In developing this overview,

³ For detailed information, consult the Report "Modalidades de criminalización y limitaciones a la efectiva participación de mujeres defensoras de derechos ambientales, los territorios y la naturaleza" (Modalities of Criminalization and Limitations on the Effective Participation of Women Defenders of Environmental Rights, Territories, and Nature), prepared by the Urgent Action Fund-LA and presented to the Inter-American Commission on Human Rights during its last sessions, October, 2015. Available at: <http://www.fondoaccionurgente.org.co/#!/publicaciones/c17kg>



the following sources have been consulted: reports from regional non-governmental organizations and international bodies, press releases, documents and communiques from women's organizations, and interviews with women who have led processes of territorial defense in the region.

1. PRIOR CONSULTATION AND PRIOR, FREE AND INFORMED CONSENT

Women's Participation in Processes of Prior Consultation in Latin America

Prior Consultation is the right of indigenous and tribal peoples to participate in decision-making related to territorial, legislative and administrative measures affecting them. This right establishes the recognition of indigenous and tribal peoples as autonomous; it is the expression of their right to self-determination; and it guarantees the exercise of individual human rights as well as the collective rights of peoples.

Given complex political, economic, social, and environmental implications, Prior Consultation is the pivotal point of debate in terms of relations between States and peoples. It constitutes a constant source of conflict, especially when related to measures that di-

rectly and irreversibly affect territories, such as resource-extraction and infrastructure projects (GIZ, 2014).

The right to Prior Consultation is enshrined in Covenant 169 of the International Labor Organization, 1989, on Indigenous and Tribal peoples, by means of which States are obliged "to consult the people concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly..." (Article 6). This same article announces the obligation to guarantee that these peoples can freely participate "at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programs which concern them and establish means for the full development of these peoples' own institutions and initiatives" (Article 6).

The United Nations Declaration on the Rights of Indigenous Peoples, 2007, emphatically establishes the obligation of States to obtain Prior, Free, and Informed Consent. In Article 19, it stipulates "that States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them".

Article 10 points out that indigenous peoples must not be forcefully displaced from their lands, and if relocation is required, States are obliged to obtain prior consent. Article 23 mentions the right to participate and administer policies and programs that concern them; while Article 29, with the purpose of exercising the right to conservation and protection of the environment, demands prior consent to avoid contamination of their territories with dangerous substances. (UN Declaration, 2007).

Despite the above, the binding nature of consultation, and even the requirement of consent, continue to be topics of debate, given ambiguity in international standards and their application. This ambivalence permits only a limited understanding of consultation by States, which is then reflected in vacuums and contradictions in national judicial developments, and as such, facilitates the infringement of this and other related rights.

For example, the Application Guide for ILO Convention 169 affirms that the obligation of States is limited to “creating conditions that allow such peoples to actively and effectively contribute to the development process”; however, it points out that “no segment of the national population in any country has the right to veto development policies” (RODRÍGUEZ, et al, 2010). This becomes problematic since it impedes the true exercise of the right to self-determination of indigenous and tribal peoples, by limiting them to the development paradigm underlying historic discrimination and systematic dispossession of their territories.

The Committee for the Elimination of all Forms of Racial Discrimination, in its observation to the State of Ecuador in 2003, indicated the need to obtain prior, free, and informed consent, and that just realizing a consultation is not enough to guarantee indigenous peoples’ rights, specifically when the case is one of resource extraction in their territories. The Inter-American Court of Human Rights has also spoken to the same issue, reiterating that all dispositions regarding consultation and fair compensation for affected com-

munities must be determined with the interested peoples, according to their customs and traditional norms.

In the *Saramaka vs. Surinam* case, the Court pointed out the State’s obligation to obtain prior, free, and informed consent of the Saramaka people (Carrión, 2012); at the same time, in the *Yakye Axa vs. Paraguay* case in 2004, and ratified in the *Moiwana vs. Surinam* case, the Court indicated that necessary reparations, due to the impacts of projects developed in their territories, and the violation of their right to consultation, must be consensually agreed to with the interested peoples, according to an integral interpretation of Covenant 169. Likewise, they must not be subjected to the unilateral criteria of States (Rodríguez et al, 2010).

Limitations for its Application in Latin America

Currently, Latin America is the region with the greatest number (12 countries) of States that have ratified Covenant 169, while at the same time, all States have approved the United Nations Declaration on the Rights of Indigenous Peoples of 2007. In a manner parallel to the deepening of the extractivist model in the region, there have been legal advances in the matter, resulting from powerful mobilizations and demands of indigenous and Afro-descendent peoples and pronouncements from international bodies generating pressure on States (FDP, 2015).

However, in the region, there are various types of conditions that impede the effective exercise of this right. These have direct and worrisome repercussions on the infringement of peoples’ collective rights and lead to an increase in social unrest provoked by the imposition of the development model in their territories.

As was pointed out in the recent report from the “Fundación para el Debido Proceso sobre la Consulta Previa” (Foundation for Due Process on Prior Consultation)⁴, the lack of consultation processes is a constant in all countries; the disproportion between environmental licenses and concessions granted to companies

⁴ This report is based on a comparative study in six countries in the region: Bolivia, Ecuador, Peru, Colombia, Guatemala, and Chile.

and the number of consultations realized, is alarming⁵. As will be seen later, this has led to peoples developing processes of self-consultation, of autonomous, community, and popular consultation, in order to allow their position on extractive projects become known. Almost all consultations were developed without adherence to international standards, that is to say, without respect for the principles of prior, free, informed, in good faith, and culturally relevant, as is expressed by the following:

- Loopholes or restrictive provisions in national legal instruments.
- Inadequate practices by functionaries of States and companies, turning them into 'express' procedures rather than a fundamental right (GIZ, 2013)
- Little or no information made available by the relevant authorities, especially regarding project impacts.
- Setting of inappropriate and improbable time-frames for the communities to be able communicate their positions on the measures
- Lack of respect for traditional organizational forms, as well as fragmentation of peoples when undertaking consultations, as a strategy to divide organizations and communities.
- Manipulation and cooptation of leaders, and 'closed-door' negotiations with only certain community members.

In countries like Colombia, the dynamics of the armed conflict complicate the free development of consultations due to the intense presence of legal and illegal armed actors, which take up positions in indigenous, Afro-descendent and peasant territories to protect the interests of extractive industries (GIZ, 2013). In countries such as Guatemala, Colombia, and Brazil, consultations or 'socialization meetings' have been undertaken in the midst of threats, persecution, and harassment of community and organizational leaders. In Brazil, even arbitrary detentions have occurred within

the context of meetings with State functionaries and company representatives (FDP, 2015).

Resistance by indigenous peoples, Afro-Americans, and peasants denounces and questions development policies; for this reason, some presidents, high-level State functionaries, and hegemonic mass media, have resorted to stigmatization in order to delegitimize their demands and neutralize their struggles. Very particularly, prior consultation has been referred to as unnecessary procedure that 'slows down development', in this way, attempting to generate favorable public opinion for pulling back on this fundamental right.

In Colombia, the ex-Minister of Agriculture, Juan Camilo Restrepo, affirmed that consultations had become an "interminable and very costly labyrinth, which are in crisis mode" (Ordúz, 2014); the current Vice-President, Germán Vargas Lleras stated in 2014 that prior consultations are "useless procedures, (...), unnecessary for obtaining environmental licenses, scientific projects, or the advancement of projects" and affirms that "since (...) they are not binding, the extortive strategy is, therefore, to disallow project design and development and to delay them indefinitely"⁶.

In recent declarations, President Evo Morales of Bolivia, in referring to the El Bala hydroelectric project, assured that "at times, consultations (prior) make things worse for the government" and that when communities oppose these projects, "the ones who lose out are not Álvaro (García Linera, Vice-President of Bolivia), nor Evo (Morales), nor the government, but the people"⁷. In Ecuador, Rafael Correa indicated that "prior consultation is not popular consultation... it is about reaching consensus, about socializing", and that "NGOs that want prior consultations to be (...) binding, would mean that to take any step forward, permission would have to be requested from the community; this is very serious, something the internatio-

5 Colombia and Bolivia are the countries with the greatest number of consultations (148 and 27, respectively); however, the exact number of consultations realized is difficult to determine, given that generally this information is not handled in a transparent way by States (GIZ).

6 See: <http://www.eluniversal.com.co/politica/consultas-previas-se-han-vuelto-extorsivas-german-vargas-163388>

7 See: <http://www.noticiasfides.com/politica/el-presidente-morales-dice-que-las-consultas-previas-perjudican-358771/>

nal treaties don't mention (...) it would be impossible to govern like that"⁸.

The Position of Indigenous and Afro-Descendant Peoples on Prior Consultation

In spite of being an instrument for protecting the collective rights of peoples, prior consultation is subject to economic development, considered to be an unquestionable priority. This situation is reflected in the limited number of legislative measures and policies in Latin American countries, which recognize the collective rights of indigenous peoples, but which does not imply that structural causes of exclusion will be dealt with and transformed, nor effective participation mechanisms with decision-making power be created (Rodríguez, 2012).

The above has been mentioned on several occasions by native and tribal peoples in the region who point to the subtleties and different types of requirements, depending on the particularities in each country for implementing consultations and the stage of development of the extractive project in question. Several tendencies can be identified:

- Emphatic rejection of any form of application of Prior Consultation, believing it constitutes legitimization of extractive projects. An emblematic example is the case of the U'wa in Colombia faced with oil exploitation in their ancestral territory⁹. Refusal of consultations, which are applied according to legal mechanisms that do not comply with the principles established in international standards, is exemplified by the recent case of consultation of the Oil Blocks 74 and 75 by the Achuar, Sápara, Shura, the Kichwa nations, and mestizo peoples, in the Ecuadorean Amazon¹⁰.

8 See: <http://www.andes.info.ec/es/pol%C3%ADtica/1928.html>

9 See: Official position of the U'wa people, confronted with the issue of Prior Consultation within the oil exploration project Siriri and Catleya, located in U'wa territory, 2005.

10 Indigenous peoples displayed their rejection of Decrees 1247 and 1135, for threatening to "suspend State transfers to indigenous peoples who refused to receive the functionaries". See: AUZ, Juan: "El estado terco: ¿por qué las organizaciones indígenas del sur amazónica rechazan las consulta previa"? (The Stubborn State: Why do indigenous organizations from the Southern Amazon Reject Prior Consultation?), 2015. <http://www.consultaprevia.org/#!/columna/13>

- Opposition to the elaboration of statutory laws to regulate consultation, considering they do not constitute legitimate scenarios for legislating on issues that are the autonomous right of ethnic peoples. This is the case of Colombian Afro-descendant and indigenous organizations that have historically demanded the relevant application of Convention 169 and have denounced the existence of "...structural difficulties for the exercise of the right to consultation, such as structural racism, the state of vulnerability of the communities..."¹¹.

- Imperative to comply with what is stipulated in national laws. This is the case of Peru with the first law on Consultation in Latin America; it stipulates that consultations must be realized in good faith, within a reasonable time-frame, and in an intercultural framework. In Peru, communities and accompanying organizations have followed up on the consultation processes¹².

- Proposals to extend this right to peasant communities which currently are not covered by Convention 169. Since they have no other binding mechanisms, their territories are even more exposed. This requirement has been part of a negotiating platform of the "Cumbre Agraria, Campesina, Étnica y Popular" (Agrarian, Peasant, Ethnic, and Popular Summit), a platform which articulates Colombian social organizations and movements.

WOMEN'S PARTICIPATION IN PROCESSES OF PRIOR CONSULTATION IN LATIN AMERICA

International Standards Governing the Participation of Women from Indigenous, Afro-Descendant and Tribal Peoples

As the current United Nations Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz, reminds us, the right of indigenous women to participa-

11 Communiqué from Colombian organizations in the context of 25 years of ILO Convention 169, 2015.

12 The organizations sent a letter to President Humala, repudiating the government's decision to bring an end to the consultation on the Oil Lot 192, the largest in the country, in a unilateral and unjustified manner. See: <http://observatoriope-trolero.org/carta-abierta-al-presidente-del-peru/>



te in processes of public and political decision-making “grows out of a broad sense of the right to free determination, as well as from provisions in the Convention on the Elimination of All Forms of Discrimination against Women” (A/HRC/30/41, 2015). In addition, other international standards exist in reference to women’s participation in environmental issues, which specifically mention the promotion of the participation of indigenous women, ‘ethnic minorities’, and ‘disadvantaged groups’, such as those emanating from the Fourth Conference on Women celebrated in Beijing, 1995.

In the first instance, it defines groups of women particularly vulnerable to violence “...those belonging to minority groups, indigenous women, refugee women, women migrants, including women migrant workers, women in poverty living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women, displaced women, repatriated women, women living in poverty and women in situations of armed conflict, foreign occupation, wars of aggression, civil wars, terrorism...”. (Report on the Fourth World Conference on Women, 1995. Paragraph 116).

In its Strategic Objective A1, sub-point q, it is recommended that States “take particular measures to promote and strengthen policies and programmes for indigenous women with their full participation and respect for their cultural diversity, so that they have opportunities and the possibility of choice in the development process in order to eradicate the poverty that affects them”. (Report from the Fourth World Conference on Women, 1995: Paragraph 58).

In addition, the chapter on Women and the Environment in Strategic Objective K1, points to the need to put measure in place to “ensure opportunities for women, including indigenous women, to participate in environmental decision-making at all levels, including as managers, designers and planners, and as implementers and evaluators of environmental projects...” (Paragraph 253); and to “integrate women, including indigenous women, their perspectives and knowledge, on an equal basis with men, in decision-making regarding sustainable resource management and the development of policies and programmes for sustainable development, including in particular those designed to address and prevent environmental degradation of the land...” (Paragraph 256, sub-point a).

In this same Strategic Objective, the Conference refers to the need to “ensure adequate research to assess how and to what extent women are particularly susceptible or exposed to environmental degradation and hazards, including, as necessary, research and data collection on specific groups of women, particularly women with low income, indigenous women and women ‘belonging to minorities’”.

In addition, obligatory application of the principle of non-discrimination based on gender is embodied in ILO Convention 169, Article 3. It establishes that “indigenous and tribal peoples shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination. The provisions of the Convention shall be applied without discrimination to male and female members of these peoples”. Accordingly, the UN Declaration on indigenous peoples concurs, indicating that “all rights and liberties recognized in the current Declaration shall be guaranteed equally to indigenous men and women”.

The Office of the UN High Commissioner in Colombia has commented on these dispositions, warning that “...it is pertinent that all actors include a differentiated perspective (particularly that of gender and generation), and to distinguish among sectors and groups of special vulnerability within indigenous peoples themselves. This is especially important in social-cultural impact studies of projects, public works, and activities that could affect indigenous peoples” (Office of the High Commissioner for Human Rights, s.f.; p.77), based on the differentiated impacts of consultation measures, and on the roles of men and women in the conservation of the cultural identity and integrity of their communities.

However, as can be seen in the reports, demands, and testimonies from indigenous women’s and Afro-descendant organizations, measures to concretize these provisions and to promote the equitable participation of men and women as a priority for States, are lacking in the legislation and application guides.

This scenario is described in the most recent report (2015) of the Special Rapporteur for Indigenous Peoples, Victoria Tauli-Corpuz, on the situation of indigenous women and girls. She notes that “indigenous

women are frequently excluded, both from indigenous decision-making structures as well as from State political processes, locally and nationally”. As the Committee for the Elimination of Discrimination against Women noted, there are very few indigenous women in local and national political processes, and, in some countries, none at all” (A/HRC/30/41, 2015). In addition, internal barriers that complicate participation are mentioned, due to the fact that “(...) power structures and agreements on local indigenous autonomy tend to be patriarchal and to exclude women’s participation and perspectives”. (A/HRC/30/41, 2015).

Women defenders of indigenous human rights play a fundamental role in the protection of women’s and communities’ rights, especially in relation to self-determination and autonomy; however, they come up against particular challenges for exercising their right to participate in public life when they are criminalized and the object of multiple violences (A/HRC/30/41, 2015).

Women’s Perspectives on Prior Consultation

Within their communities, Indigenous, Afro-descendant, and peasant women in the Americas tend to have a fundamentally critical and reflexive role vis-à-vis extractive activities. This is linked to the identification of differentiated impacts, which come to light because of their work as care-givers, their special relationship with territory and natural goods, and the situation of vulnerability they face due to territorial control exercised by external actors. Accordingly, we can recall the emblematic case of the Sarayaku in Ecuador, where women had a protagonist role in the defense of their territory when faced with oil exploitation. A large part of the resistance was oriented by women elders who were always consulted; they insisted that the companies’ concept of development was guided only by monetary interests that went against the objective of well-being of the Sarayaku people (Chávez and others, 2005, cited in Torres and Castillo, 2011).

This awareness of the affectations, their certainty that extractivism promotes false benefits, and the call to peoples to maintain alive their identity, memory, and traditional forms of life, generates in women a

position of firmness and permanent alert. As a result, women tend to be the first to warn about the absence of prior consultation in the context of such projects, or the inappropriate behavior of functionaries during their realization, which on various occasions has led women to forcefully oppose the development of consultations and to promote autonomous forms of reflection, participation, and decision-making.

The Consultations Are Not Prior

In the first place, the warning is that prior consultation is not really a 'consultation'. The intention is not to allow peoples to exercise their right to self-determination by opening up spaces for dialogue where communities and women can explain their interests and concerns, and where they have the capacity to take binding decisions protecting their rights. Current consultations are not undertaken in good faith as established by Convention 169; to the contrary, they are considered unnecessary procedures and are generally based on the stigmatization of the demands of indigenous and Afro-descendent peoples, and the complete invisibility of women's demands and perspectives.

As Yadeny Aguirre¹³ of the National Indigenous Organization of Colombia, ONIC (acronym in Spanish), points out, "almost all consultations happen when the projects are already underway; it is more of a socialization process about what is going on". Yadeny comments that "the consultation process should be undertaken with all base groups and the councilors; on many occasions, the State brings together a few councilors and claims this is a consultation....besides, they impose absurd time limits for the communities to decide". In the case of the Resguardo¹⁴ of Cañamomo and Lomprieta in Caldas, where she originates, the mining multinational interrupted an Assembly of the Cabildo (traditional authority) to socialize the project that would be implemented in their territory, when they already had been granted concessions for exploitation.

¹³ Yadeny Aguirre is involved in the ONIC Training School and has been a member of the Women's Council of the same organization. She was interviewed by the UAF team in October, 2015.

¹⁴ The "resguardos" are collective and autonomous territorial entities within indigenous communities officially recognized in Colombian legislation.

Consultations Are Not Informed Consultations

In the case of Ecuador, as affirmed by Lina Solano¹⁵-member of the "Frente de Mujeres Defensoras de la Pachamama" (Front of Women Defenders of the Pachamama) (the Front, from hereon), and President of the "Unión Latinoamericana de Mujeres" (Latin American Women's Union)- ULAM Network, in the context of mining projects in Río Blanco, Kimsacocha, and Lomalarga in the Ecuadorian Amazon, mining concessions were granted without having informed or consulted the communities. In this context, the right to information is particularly important since these communities have had no previous contact with mining activities and they are not sufficiently aware of the impacts.

For example, in the case of the Río Blanco project, the Front tirelessly requested information about its Environmental License, receiving negative responses from the appropriate authorities, who, in addition, insisted that the organization explicitly explain the reason for requiring this information, as if it were not a question of their rights. As a result, women's actions in defense of their territories are viewed as suspicious.

Both Prior Consultation for indigenous peoples, as well as Environmental Consultation for the general population, are contemplated in the Ecuadorean Constitution; however, it also stipulates that in the case where there is no agreement between communities and the State, it will be the relevant authority who makes the final decision on whether or not the extractive project goes ahead. In the case of the Front, this has constituted a recoiling of the exercise of self-determination by indigenous peoples, which, at the same time, contravenes proposals for Healthful Living and nature as the subject of rights, both constituting the spirit of the Ecuadorean Constitution.

Concessions Granted without Consultation Are Illegal and Unconstitutional

The Front maintains that mining concessions are illegal and unconstitutional for having been granted without consultation, for which- disagreeing somewhat with

¹⁵ Lina Solano was interviewed by the UAF team in September, 2015.

the position of other organizations- they oppose the current demand for consultations on these titles, believing they are no longer opportune since a right has already been violated. For this reason, they insist that the concessions be reversed as stipulated by the Mining Mandate of 2008¹⁶. With this certainty, the Front has struggled since its conformation in 2008 against mining activities in its territories, denouncing inappropriate practices by State functionaries who, at all costs, want to make it appear that communities have participated in decision-making. The Front has informed communities, constructed autonomous leadership among indigenous women, and been the protagonist in mobilizations to show opposition to mining. In this same vein, they have organized non-violent boycotts to prevent socialization meetings, which the Ministry of the Environment passes off as Consultations, from happening.

Similarly, Eva Grueso¹⁷, member of Kuagro Ri Changua of the Black Communities' Process in Colombia (from hereon, PCN for its Spanish acronym), tells us that for her organization, mining titles granted in the north of the department of Cauca are unconstitutional. They have been granted in violation of Convention 169 dispositions, integral to the country's constitutionality, and they are backed by decrees (Decree 1023) and presidential directives (Presidential Directive 001 of 2010) that have a limited vision of consultation, understood to be a meeting rather than a participatory process.

Corruption and Inappropriate Practices: a Constant in the Application of Consultation Processes

Eva recalls that the process for construction of the Binational Ecuador-Colombia Highway began at the end of the 90's in the municipality of Tumaco in the south of Colombia. The Community Council¹⁸ of Alto Mira and Frontera expressed the need to first move ahead with collective titling of their territory in order to pro-

tect it legally, and then later accept the initiation of a consultation. This position became radicalized when the links between highway construction and the assassination of Francisco Hurtado became clear. He was the legal representative of the Council at that time, who, together with the community led the process for collective titling¹⁹. According to the communities, the process only reached the pre-consultation phase; however, in 2007²⁰, the government announced that all was clear with the highway project, after rectifying agreements with the black communities and terminating the consultation process. Women had denounced inappropriate practices by public functionaries in the application of what they termed a consultation, since these processes were replete with acts of corruption, buying off of leaders, and deceiving the communities, taking advantage of the lack of information (that the State itself should provide). Yadeny comments that the companies promised schools or hospitals in exchange for approval of their extractive projects, and as such, constituted a grave offense, since education and health should be fundamental rights guaranteed by the State. The companies "have the power and the money to buy off leaders and the State no longer needs to be the guarantor of rights (...).It seems that the rights that are guaranteed are those of the companies, rather than of the communities. This is not clear for the Prior Consultation Directorate within the Interior Ministry", argues Eva Grueso.

Conditions Do Not Exist for the Consultations to be Free

Another serious concern for women in countries where social and armed conflict persists, refers to the impossibility of truly free participation in the consultation process. As Eva Grueso affirms, "violence overlaps

16 The Mining Mandate was drawn up by the 2008 Constituent Assembly. It affirms that measures put into practice without prior consultation should be declared null and void.

17 In an interview with UAF in 2015.

18 A form of organization in black communities stipulated in Law 70 of 1993. This Law declares that the collective territories of Afro-descendant communities are exempt from seizure, imprescriptible, and inalienable.

19 Hurtado was assassinated on February 2, 1998, the day the family census, the last requisite for collective land titling, was completed. See: <http://www.verdadabierta.com/victimias-seccion/los-resistentes/5370-tumaco-tiene-sitio-para-la-memoria>

20 See: <http://centrodenoticias-alcaldiadetumaco.blogspot.com.co/2015/03/se-da-inicio-la-construccion-de-la-via.html>

with mining concessions and the communities cannot exercise their right, since they know the companies have the money and the power to contract armed groups". Thinking ahead to the post-conflict scenario in Colombia, this continues to be a concern for social and victims' organizations, given the confirmed persistence of pressures and violations by paramilitary groups, which favor the imposition and permanence of companies in their territories.

As has been pointed out previously, such constraints not only appear in contexts of armed conflicts, but also those exercised by public and private officials through stigmatization, criminalization, and all types of harassment- physical, psychological, sexual- of women defenders of territories and human rights, in an attempt to neutralize their demands.

In the region, extractive activities carry significant weight in the definition of country policies in Latin America, whether through companies' fraudulent influences over legislation related to environmental issues and citizen participation, or because extractivism has become the development model promoted by States. As a result, profound questioning has emerged concerning the feasibility of prior consultation employing principles enshrined in international standards. For this reason, PCN asks: how can the State be judge and jury at the same time? To what point is it ethical for the State to apply consultation when it publicly declares to be its enemy?; and when it proposes that consultation be undertaken by an international body guaranteeing impartiality, while the Public Ministry acts as the overseer of the processes.

As Yadeny points out, for legislative measures and public policies, prior consultation can be an instrument for the protection of rights, and it is more possible (although not a guarantee) that self-determination of peoples will be respected through dialogue in spaces of concertation. However, for territorial measures, such as the exploitation of resources, consultation, in the event it takes place, this is not allowed. For this reason, both in Colombia and the rest of Latin America, self-determination is exercised through mobilization and local-level resistance.

ACTIONS BY WOMEN TO ENFORCE PRIOR CONSULTATION A LOCAL EXPERIENCE.

Afro-Descendant Women Mobilize for the Care of Life and of Ancestral Territories in Colombia

In November, 2014, more than 70 women from the Community Council of La Toma, in the municipality of Suárez, in the north of Cauca, in Colombia, decided to undertake a 'Mobilization of Afro-descendant Women for the Care of Life and of Ancestral Territories', from their community to the city of Bogotá. The goal was to demand the Colombian government respect prior consultation and resolve the situation of human rights violations in the midst of illegal mining operations in their territories. Conscientiously, they made claims on the government for having granted mining concessions to the multinationals Anglo Gold Ashanti, Cosio Resources, and Anglo America; for the illegal entry of dozens of excavators; and for incompliance with Constitutional Court Ruling T 1045A of 2010²¹ that orders prior consultation for all gold-exploitation activities, projected for this and all territories belonging to black communities (Arocha, 2014). Thanks to pressure by the women, in December of the same year, agreements were reached with the government for the expulsion of illegal mining, which, however, have not been fulfilled. For this reason, the women and their communities had to remove the excavators by force. The lack of response from the government vis-à-vis mining activity has caused several deaths and an increase in the vulnerability of black communities in the North of Cauca. As the women clearly denounced in January, 2015²², the ineffectiveness of national and local authorities, and the lack of effective protection measures, has augmented risks for community

21 Public Press Release No. 010 from the Mobilization of Afro-descendant Women for the Care of Life and Ancestral Territories in Colombia. Available at: <http://justiciaambientalcolombia.org/2015/01/07/comunicado-mujeres-afro/>

22 Comunicado a la Opinión pública No. 010 de la Movilización de Mujeres Afro-descendientes por el cuidado de la vida y los territorios ancestrales en Colombia. Disponible en <http://justiciaambientalcolombia.org/2015/01/07/comunicado-mujeres-afro/>

leaders, both men and women, who have had to leave their territory due to threats and harassment.

A national scale experience: Participation of ONAMIAP and FEMUCARINAP in Peru

Peru is the first country in Latin America to have a Law of Prior Consultation, Law No. 29785, approved in August, 2011. Later, it was regulated, and then approved through Supreme Decree No. 001-2012-MC in April, 2012, in the midst of inconformity by indigenous organizations that come together in the “Pacto de Unidad” (Unity Pact). They argued that it did not conform to international standards and that its end goal was the manipulation of the right in order to allow investment in the country (“Grupo de Trabajo sobre pueblos indígenas de la Coordinadora nacional de Derecho Humanos de Perú”- Working Group on Indigenous Peoples of the National Human Rights Coordinating Body of Peru, 2012).

Given the lack of transparency and deficiencies in regulation, the majority of organizations ended up abandoning dialogue with the government. Finally, the regulatory framework was approved, violating initial agreements reached in the Multi-Sectoral Commission (“Grupo de Trabajo sobre pueblos indígenas de la Coordinadora nacional de Derecho Humanos de Perú”- Working Group on Indigenous Peoples of the National Human Rights Coordinating Body of Peru, 2012).

During this process, the National Organization of Indigenous Women of Peru, ONAMIAP (for Spanish acronym), played an important role. It was a member of the Unity Pact²³, a coordinating space for organizations to dialogue with the government on the Consultation Law. In 2012, the Pact emitted a communiqué accusing the State of systematic violation of collective rights and demanding modifications to Articles 1, 2, 4, 7, 15, and 19, as well as the second complementary

disposition of Law 29.785, in order to comply with ILO Convention 169 (CEPAL, 2014).

Despite the significant participation of ONAMIAP and its interest in making the issue visible, the Unity Pact document, related to application principles for prior consultation, made no mention of women's participation as an essential element in the elaboration of regulations (Montalvo, 2011). However, in 2013, the Pact produced an alternative report on compliance of Convention 169 in Peru that included an entire chapter on the situation of indigenous women, as well as clear recommendations regarding equity in participation²⁴.

Meanwhile, The National Federation of Peasant, Artisan, Indigenous, Native, and Salaried Women of Peru, FEMUCARINAP (for acronym in Spanish), had to insist on multiple occasions that the Presidency of the Council of Ministers approve its incorporation into the Multi-Sectoral Commission that was evaluating the regulations; this approval being obtained in February, 2012. FEMUCARINAP's contributions were crucial in terms of women's participation, demanding: respect for the principle of equity and equality of opportunities for men and women and non-discrimination based on gender or age in access to information and citizen participation; and that consultations take into account “problems of accessibility to the places where they are to be held for members of indigenous communities, especially for women who have traditionally been excluded from citizen participation. Places of difficult access should not be chosen, nor times that conflict with responsibilities traditionally carried out by women, the goal being to guarantee maximum participation” (FEMUCARINAP, 2012).

In addition, they requested that the issue of women as rights holders be explicitly mentioned and they recommended that “there be a percentage of no less than 30% women in order to promote feminine participation as stipulated in the Law on Equality of Opportunities that governs the Peruvian State”. (FEMUCARINAP, 2012).

23 The Unity Pact was integrated by ONAMIAP, the Asociación Interétnica de Desarrollo de la Selva Peruana (Inter-Ethnic Development Association of the Peruvian Jungle), (AIDESEP), the Confederación Nacional Agraria (National Agrarian Confederation (CAN), the Confederación Nacional de Comunidades del Perú Afectadas por la Minería (National Confederation of Peruvian Communities Affected by Mining (CONACAMI), and the rondas campesinas (Peasant Patrols), base organizations, and women's organizations.

24 Report available at: http://www.justiciaviva.org.pe/webpanel/doc_int/doc17102013-225531.pdf

In cases where there is an agreement between indigenous peoples and the State, cases such as the consultation to create the National Park of Sierra del Divisor, located in the Ucayali and Loreto regions, ONAMIAP urged the government to implement these agreements, which were being groundlessly postponed by the authorities. On the other hand, it denounced the lack of consultation on recently-approved “environmental packages” that seriously threaten indigenous peoples’ rights (ONAMIAP, 2015).

This year, ONAMIAP and FEMUCARINAP, along with AIDSEP, CONAP, CCP, CNA, and UNCA, presented a proposal to regulate the Forestry and Wildlife Law, embodying a demand for prior consensus and integral treatment of indigenous territories, instead of referring exclusively to land use (ONAMIAP, 2015). Finally, a gender perspective was included in the Law in the section on principles²⁵ and in forestry education²⁶. Articulations of Women’s Organizations in Latin America and the Caribbean

The articulation of women’s organizations of diverse origins and sectors, at national and regional levels, has encouraged collective reflection, solidarity, and strengthening of resistances in the face of extractivist activity; at the same time, visibility and the positioning of women’s demands in terms of prior consultation have been promoted. The following are some of these experiences.

In 2012, the “Enlace Continental de Mujeres Indígenas de las Américas” (Continental Liaison of Indigenous Women of the Americas)-ECMIA (Spanish acronym), meeting in Lima, defined as one of its main objectives ratification of Convention 169 by all governments on the continent. As follow-up, a letter was directed to the government of Uruguay demanding that it adopt this instrument, the invitation being extended to the governments of El Salvador and Panama as well.

25 Article 4: Equity and social inclusion: In this principle, the State guarantees equitable conditions for access to resources, development opportunities, and the distribution of benefits for all actors, from a gender perspective, through the design and application of public forestry policies that contribute to eradicating poverty, reducing social and economic inequities, and to sustainable human development for the least favored populations.

26 Article 141. “The State, exercising its educational obligation, promotes: a) forestry and wildlife education from a gender and intercultural perspective and high-level training at the professional and technical levels”.

ll.²⁷ The women’s commitment to this objective was reiterated in the latest Encounter in Guatemala- more than 300 women participated- in which ECMIA sent out a call to all women to defend their territories from extractivist policies²⁸.

The first Latin American Congress of Human Rights, convened in October, 2013, by the “Unión Latinoamericana de Mujeres” (Latin American Women’s Union) (ULAM for Spanish acronym), the “Coordinadora Nacional de Derechos Humanos” (National Human Rights Coordination) (CNDDHH for Spanish acronym) and the NGO, Latin American Mining Monitoring Program (LAMMP) called for reflection on the urgency to effectively involve “rural, indigenous, and Afro-descendant women in consultation and decision-making, since the tendency was to exclusively consult male leaders, assuming they represented the interests of the entire community, and resulting in the fact that the impact of mining on women continued unrecognized (...)”²⁹ In September, 2015, the National Summit of Women for the Defense of Mother Earth, which took place in the city of Oruro, Bolivia, issued a declaration of solidarity with all peoples who had been repressed for demanding their right to consultation and reiterated the need to include a gender perspective both in consultation processes as well as in environmental evaluation studies.³⁰

Beyond the demand for consultation, the articulation has generated strong criticism: the First Latin American Encounter on Women and Mining, meeting in Bogotá in 2011, declared that one of its goals was to “promote popular consultations convened with the autonomy

27 See: <http://www.chirapaq.org.pe/noticias/mujeres-indigenas-exigen-a-gobierno-de-uruguay-ratificacion-de-consulta-previa>

28 See: <http://www.ecmia.org/index.php/categorias-blog/147-mujeres-indigenas-vinculan-la-defensa-de-sus-territorios-con-la-sostenibilidad-y-la-defensa-de-la-vida>

29 CESDER, “Resistencia con rostro de mujer” (Resistance with the Face of Woman). See <http://www.tusmedios.es/actualidad/internacional/52443-resistencia-con-rostro-de-mujer.html>

30 RENAMAT, Pronouncement from the National Summit of Women in Defense of Mother Earth, 2015. Available at: <http://www.redlatinoamericanademujeres.org/2015/09/bolivia-cumbre-nacional-denuncia-la.html>

of communities and organizations (...) we reject consultations developed within national and international normativity until political and organizational training in the communities is guaranteed (...), which would ensure appropriate collective decision-making that includes women, decisions that are pertinent to the particular nature of the communities, and based in a truly free, prior, and informed consultation”³¹.

2. WOMEN'S PARTICIPATION IN PROCESSES OF AUTONOMOUS AND COMMUNITY CONSULTATION

To express their opposition and discontent at the lack of States' compliance in guaranteeing the right to consultation, several Latin American indigenous communities have undertaken autonomous community consultations. These processes involve decision-making and participation, carried out on the margins of the dispositions of Prior Consultation, in which communities demonstrate their wishes by means of symbolic acts, surveys, secret vote, or other mechanisms that include a process of formation and collective reflection. Such measures guarantee that community decision are taken without pressure, and are respectful of ancestral traditions and authorities. In all cases, the peoples declared a clear NO to extractive activities in their territories, receiving more than 95% of the votes.

Even if these processes are not formally recognized by States, they are politically and symbolically extremely relevant, given they facilitate the articulation of communities with other peoples and organizations that support their cause. They also bring to public light the effects of the development model in their territories (GIZ, 2014). The self-consultations have resulted in companies withdrawing their projects and/or losing the support of their investors. That was the case with the Manhattan Minerals Company in Tambogrande, Peru, that had to leave the region, losing nearly 60 million dollars, after 98% of the community indicated its rejection (GIZ, 2013). In Peru, as well, in

Ayacaba, Huancabamba, and Carmen de la Frontera, temporary suspension of the Rio Blanco mining project was achieved through self-consultation in 2007, as well as a legal case brought against the company. Although suspensions are temporary, million dollar losses for the companies result, and their reputation is affected (GIZ, 2013).

In the province of Napo, the Kichwa people of Rukullacta convened an autonomous consultation to decide if oil exploitation would be allowed on their territory to which representatives of the government, the petroleum companies (Ivanhoe Energy and Transspet), and environmental organizations were invited. The community's plan of life was presented and the process ended with a secret vote by community women and men (Saavedra, 2011).

Guatemala is the country in the region where the practice of community consultation has been most frequently used. There, indigenous peoples defend it as an ancestral practice based on the socialization of information, dialogue, and consensus (GUATEMALA SOLIDARITY NETWORK, et al, s.f.). These consultations, besides being endorsed by ILO Convention 169, since they are enshrined in the exercise of the right to self-determination, are also regulated by the Municipal Code. Between 2004 and 2012, 67 consultations were undertaken, the majority in the departments of Huehuetenango (29) and San Marcos (15); and almost all related to mining (56), and to a lesser degree to hydroelectric, cement and oil exploitation projects (Mayén, 2013).

Although the Guatemalan Constitutional Court has rejected the binding nature of consultations, the United Nations, ex-Special Rapporteur on the Rights of Indigenous Peoples, James Anaya, spoke favorably of recognizing community consultations during his visit to Guatemala in 2010: “I believe that the transcendence of community consultations does not end with the question of whether or not they are binding from the perspective of internal law. These initiatives are valid and have relevance in so far as they reflect the legitimate aspirations of indigenous communities to be heard in relation to all projects having potential impact on

31 Political declaration from the Latin American Encounter on Women and Mining. CENSAT Agua Viva. Bogotá; October, 2011. Available at : <http://www.ocsi.org.es/Encuentro-Latinoamericano-Mujer-y>

their traditional territories". (United Nations Special Rapporteur for the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples, June, 2010).

One of the first consultations was held in 2005 in the municipality of Sipakapa in the department of San Marcos in opposition to the Montana Exploradora mining company, subsidiary of Gold Corp Inc., which was declared non-binding by the Constitutional Court. Later on, several consultations were held in the municipality of San Miguel Ixtahuacán, affected by the same project. In this case, as in many others in Guatemala and Latin America, the role of women in the defense of territory has been fundamental. The case of "the eight women" who had been harassed by the company, repressed by the police, and prosecuted for protesting the illegal appropriation of lands by the company is a case in point (GUATEMALAN SOLIDARITY NETWORK, et al, s.f).

In Colombia, the first autonomous consultation was held in the department of Antioquia, in the north-east of the country. Here, Embera people were defending the Sarada Haykatuma mountain (Edge of the Spirits), also known as Careperro. With no environmental impact study or consultation, the USA company Muriel Mining Corporation, MMC, was granted exploitation concessions over 16,000 hectares within the framework of the Mandé Norte project for extracting gold, copper, molybdenum, and other precious metals (EJOLT, 2014). Faced with this situation, the Embera people decided to hold their own consultation, in which communities, including boys, girls, and elders, voted against mining exploitation. They performed rituals for the protection of the Mountain and received national and international solidarity to prevent the entrance of workers into the area. With the support of the Interchurch Commission of Justice and Peace, the Supreme Court in 2009 had to rule in favor of the community and ordered a stop to activities and the convening of prior consultation with no irregularities (EJOLT, 2014).

Women's Participation in Resistance and the Process of Autonomous Consultation by the Wayuu People in La Guajira, Colombia

For the Wayuu people living in the La Guajira Peninsula, Cerrejón was a sacred hill, cared for by the plants and animals that represented the Tu Saín Mma, the heart of the earth. Today, Cerrejón is one of the largest open-pit coal mines in the world. Currently³², the El Cerrejón Coal Complex³³ is made up of the multinationals BHP Billiton (British-Australian), GlencoreXtrata (Swiss), and Anglo American (South African-British) (CINEP, 2013). Its extractive activity has generated alarming environmental and social devastation due to contamination of soil, air, and water and has caused multiple rights infringements in communities, eroding their living conditions in an extreme manner.

Since 2011, the Company has insisted on diverting the Ranchería River, the population's main water source, through Project P500 liwo'uyaa³⁴ in order to extract more than 500 million tons of coal (Maldonado and Urrea, 2014). With no environmental impact study and in the midst of fierce opposition from communities, the company simulated a process of pre-consultation during 2011 and 2012, characterized by manipulation, lack of information, and cooptation of leaders in order to divide the community (CAJAR, 2015). For this reason, the Wayuu community of the Provincial Resguardo, together with the Tamaquitos II Resguardo and other affected communities, demanded that President Santos immediately suspend the diversion project since it constitutes a "serious danger for the identity and survival of ancestral communities throughout the department" (CAJAR, 2015).

The 'internal reflection and autonomous consultation' process was announced in March, 2012, in contem-

32 Until 2001, the State had 50% participation through the Carbocol Company.

33 El Cerrejón produces approximately 32 million tons of coal a year (CINEP and Fuerza de Mujeres Wayuu [Force of Wayuu Women] 2013), generating 340 million tons of residue and using 17 million liters of water per day, while a person in the area has to exist on only 0.7 liters of water a day (CAJAR, 2014).

34 Liwo'uyaa signifies "the stars that announce the arrival of spring", which has been identified as a company strategy to 'confuse' the communities and legitimize their activities (Maldonado and Urrea, 2014).



plation of the right to self-determination enshrined in ILO Convention 169. During this process, 18 internal resolutions were emitted, and in August, 2014, the following activities were undertaken: on Thursday, the 7th, an Ethical Tribunal was held to deal with mining aggressions to the territory and to make impacts visible, and included the accompaniment of national and international judges; on Friday, the 8th, reconnaissance of sacred places affected by the exploitation took place; on Saturday, the 9th, the “Day of Autonomous Decision-Making”, two sessions of autonomous consultation were held in the communities of Provincial and Tamaquitos II on coal expansion³⁵.

98% of the community declared its opposition to the river diversion project and declared the territory free of mining. Currently, the diversion project of the Ranchería River is suspended; however, the company intends to divert one of its most important tributaries; the Bruno River³⁶.

35 On this same day, 13 years of impunity related to the eviction of the Afro-Colombian community from Tabaco by the company were commemorated (CAJAR, 2015).

36 Cerrejón intends to divert this stream in order to obtain 40 million tons of coal. Their pretension is associated with the need “to cut the flow of water to the Ranchería River, arguing the minimal importance of a river that is beginning to dry up, and in this manner, obtaining permission for the diversion. This is the first of

As Dora Lucy Arias of the Lawyer’s Collective, CAJAR³⁷ tells us, this ongoing process involves physical and spiritual mobilization, as well as conceptualization evolving from an integral conception of territory, where the river is regarded as the blood, as the very body of the Wayuu people. At the same time, this has promoted articulation with other communities, sectors, non-governmental and environmental organizations, and the international community in order to shed light on the problematic and to demand solutions from the State.

Women play a fundamental role in the transmission of culture among the Wayuu people. For their work in tending gardens, in preparing food, and in traditional medicine, they have woven a particular relationship with territory, characterized by greater concern for the contamination of water and greater attachment to the land. At the same time, they construct particular ways of acting that emanate from greater proximity to understanding ‘the other’:

several diversions that include the Palomino River and the construction of a dam on it, the intention being general expansion of the mine” (Urrea, 2015).

37 CAJAR, together with CENSAT Agua Viva and other organizations have accompanied the process of the La Guajira communities affected by El Cerrejón, constituting an important support for the development of the autonomous consultation. Dora Lucy was interviewed by the UAF team in September, 2015.

I am woman, juchon Mma, daughter of the earth (...), holder of spiritual knowledge, but I no longer have land or dreams, my medicinal plants stopped talking because I am woman lost in my own culture (...) many patients come to me but I no longer recognize their illnesses (...) now I see many rare diseases that are not reflected in the lapu, in our dreams (...) because I no longer have contact with our waters nor our yujas that we use to grow our own food..." (Wayuu spiritual knowledge-bearer, interviewed by Fuerza de Mujeres Wayuu, 2014).

As can be seen from numerous cases narrated in this article, women not only warn of particularly serious affectations, but also of inappropriate practices in prior consultation processes and cooptation that men have been subjected to. Besides being a matriarchal society, where the woman is considered the "foundation of equilibrium of the human being" (CINEP and Fuerza de Mujeres Wayuu, 2013), Wayuu women enjoy less than 30% participation among traditional authorities- Alaulayus- who represent communities in decision-making spaces (CINEP and Fuerza de Mujeres Wayuu, 2013).

Despite the fact that women lead "healthful living" processes, relying on spiritual knowledge-bearers who guide consensus-making, patriarchal practices prevent the fulfillment of the knowledge-bearers' mandate in important decision-making bodies for the construction of community political ties. Those who lead in decision-making as far as spaces of political participation are concerned are the men, that is, the Alaulayu" (CINEP y Fuerza de Mujeres Wayuu, 2013).

For Dora Lucy- who has accompanied the process from the beginning- autonomous consultation, be-

yond being a decision about a particular project, constitutes a process of collective reflection related to the challenge of constructing true autonomy within the context of a mining enclave. It is also an opportunity for profound internal interpellation about practice.

Although women's demands were not explicitly discussed during this experience, the consultation process did allow women, girls and youth to qualify their participation, since they have been involved and have taken ownership of formation and decision-making spaces to a greater degree. In this way, they have been able to express themselves and question traditional authorities.

From the experience of the Wayuu and other cases mentioned here, we can conclude that autonomous consultations allow communities to: a) broaden and qualify women's participation, and that of young people and girls and boys; b) strengthen communities' internal organizational capacity and connections with other peoples and organizations for the purpose of demanding their rights and for advocacy; c) question and transform patriarchal and exclusionary practices to more horizontal and inclusive relationships in decision-making spaces, and; d) promote the authentic and free manifestation of the will of peoples vis-à-vis their territory and collective destiny.

3. WOMEN'S PARTICIPATION IN POPULAR CONSULTATION PROCESSES

Popular Consultations in Latin America

Popular consultations are mechanisms for citizen participation in which people are able to express their will concerning an issue of great transcendence for them, and in this way, exercise rights recognized in State

constitutions, especially the right to free expression, manifestation, and the effective enjoyment of natural resources and a healthy environment³⁸. In the majority of countries in the region, consultations, which can be convened at the national, departmental or municipal levels are to be found enshrined in Constitutions, as supports of a democratic society.

Currently, popular consultations are building a profile for themselves as instruments for protecting territories from activities that affect the environment. As a result, on many occasions, they constitute one of the major demands in a context of anti-extractivist resistance. However, as occurs with other mechanisms for citizen participation, its binding nature continues to a topic of debate and constitutes disputed territory between citizens and extractive companies, where governments tend to back up the interests of the latter. In this sense, we can point to some of the obstacles that consultations confront:

- Companies' use of legal instruments. This is the case of the municipal consultation in Piedras (Tolima, Colombia). Anglo-gold Ashanti, which is attempting to install a gold-production plant, La Colosa³⁹, in the area, demanded the nullity of the consultation in which 2,995 inhabitants expressed their rejection of the mining project, with only 24 in favor (Murcia, 2014). Finally, the Administrative tribunal of Tolima declared the consultation null and void.
- Threats and disciplinary sanctions of local authorities. In Colombia, the Procurator, Alejandro Ordóñez, has initiated disciplinary investigation and has threatened to sanction those local authorities who promote popular consultations, arguing this constitutes abuse of their functions.
- Realization of 'counter consultations'. This has been the strategy of the Girón canton in Ecuador where the population has struggled to prevent mining in the

Kimsacocha high-level plateaus and wetlands. Beginning in 2012, UNAGUA-Girón, with the support of ECUARUNARI and the Yasunidx Collective, initiated a process before the National Electoral Council requesting the convening of a consultation, which was only approved in January, 2015. The communities denounced a boycott by the United for Development Collective which, in less than a week, obtained approval for an alternative consultation in favor of the INV Metals mining project⁴⁰.

- Government fraud. Faced with the impossibility of slowing down or hindering the convening of consultations, governments have resorted to fraud and other irregularities at the time of signature-gathering; such was the case of the popular consultation led by the Yasunidx Collective to keep the oil underground in the Yasuní, in the Ecuadorian Amazon⁴¹.
- Vote transference. This was the case of the La Puya Resistance, narrated later on, about how the company, in cahoots with local public authorities, brought in external people to place themselves within the communities to vote in favor of mining projects at the moment of the consultation.
- Stigmatization of struggles. Strategies of disinformation and de-legitimization of communities and organizations promoting popular consultations are a constant; such strategies are shrouded in clear sexist undertones from public officials and sectors favoring the companies in an attempt to prevent women's participation.

Despite the fact that, in the majority of cases, effective shielding of territories cannot be guaranteed, due to limitations imposed by pro-extractivist public and private agents, it is possible to point to several important results from popular consultations:

- a) Strengthening of the appropriation of the concept of territory and the meaning this has for peoples, from the perspective of the environment; b) citizen sensitivity and pedagogy related to the vital, community, and

38 See: "La consulta popular: mecanismo importante de expresión popular y clara expresión de un régimen democrático" (Popular Consultation: Important Mechanism of Popular Expression and Clear Indication of a Democratic Regime), Ángel Antonio Recinos Lemus, Mataquescuintla, September 30, 2014. Prensa Comunitaria. <https://comunitariapress.wordpress.com/>

39 La Colosa is the largest gold mining project in Colombia, located in the municipality of Cajamarca in the department of Tolima. Its activation would imply the devastation of 'the agricultural larder of Colombia', and for this reason, the population has promoted local and national mobilization.

40 The week the alternative consultation was approved, the Vice-President of the United for Development Collective publicly indicated its support of the company. See: Ecuador: Girón Advances towards Popular Consultation to Stop Mining in Kimsacocha, July, 2015. <http://www.defensoresdelsur.org/noticias/2015/7/16/ecuador-girn-avanza-hacia-una-consulta-popular-para-frenar-la-minera-en-kimsacocha>

41 See article by Gabriela Ruales in this same publication.

cultural importance of natural goods (Murcia, 2014); c) integration of distinct social and economic sectors working to defend territory; d) visibility at national and international levels of environmental conflicts caused by extractivist activity, thereby promoting solidarity and articulation of struggles; and e) conformation of community and organizational spaces that facilitate women's participation and the construction of leadership.

Participation of Women in La Puya Resistance in Guatemala

La Puya is one of the most emblematic examples of anti-extractivist resistance in Guatemala and Latin America. It began in 2011 when the communities of the municipality of San Pedro Ayampuc and San José del Golfo, in the department of Guatemala, decided to organize to prevent the imposition and advance of the gold exploitation project, 'Proyecto VII Derivada' or El Tambor Mine developed by Exploraciones Mineras of Guatemala, EXMINGUA (Papadopolou, 2014).

This project was imposed with no prior consultation (in the indigenous community of San Pedro Ayampuc) and with no access to environmental impact studies, preventing people from expressing their opposition to the mine. From the beginning, the realization of a binding popular consultation has been a central demand within the resistance in La Puya, in order to permit a free decision by people at the local level about the exploitation of natural resources. At the national level, the objective has been to achieve a mining moratorium (Papadopolou, 2014). Currently, as a result of non-violent resistance, the project is paralyzed based on an injunction ordering the company to cease operations and the government to undertake a popular consultation.

However, Yolanda Oqueli⁴²—coming from the municipality of San José del Golfo and being one of the most important resistance leaders from La Puya—reports that currently this does not appear to be a useful tool, due to the company's strategy, in alliance with local authorities, to boycott the objectives of the resistance: "(...) for some time, we have seen strange

people showing up in the community saying they worked with the mine; they settled here; and we became aware they would be the ones to vote in favor of the mine, if the consultation were realized".

Community warnings became even more accurate when it was announced that in San José del Golfo, with a population of 5,000, there were 8,000 people with the right to vote in the consultation. This situation has been denounced publicly, however, migration has become a practice throughout the country, with no satisfactory answer from national authorities in response. For this reason, the possibility of convening community consultations in each small village has been considered, since this would guarantee control by the community over the people who show up to vote.

For Yolanda, women's participation has been vital for the permanence and success of the resistance, and has meant that this community struggle has enjoyed international recognition. She was the first woman who began to attend meetings to find out about the project and from then, she has led the resistance.

Women rapidly came to realize that during mobilizations and road blocks, men were easily provoked by the police, resulting in repression and detention of participants. For this reason, the women decided to place themselves at the front in order to impede the entrance of company workers and the police. In May, 2012, in order to evict the resistance,

"28 trucks were approaching, guarded by 2,500 police, so we took to the front lines while the men were crammed up behind. Women made the trucks turn back and there was no eviction; we continued in resistance for more than two years. As a result, we understood that our participation was truly important and that we had the capacity to defend our territory". Yolanda affirms that their NO to violence has been the

42 Yolanda was interviewed by the UAF team in September, 2014.

guiding principle the key to success in the La Puya women's struggle.

"The Main Achievement is that Women Have Been Empowered"

Yolanda maintains "there are many women in resistances, but they are rendered invisible; on the contrary, in La Puya, they were unable to make us invisible". She remembers that when she began to participate in the resistance, her male said "women should be at home, in the kitchen". For her, the most important result is that "women have been empowered", despite initial difficulties; and have been able to transform asymmetrical and discriminatory relationships inside the communities. This has resulted in partners and comrades becoming sensitized and aware that women's participation in the defense of territory is legitimate, necessary, and deserving of respect.

Stigmatization and Attacks

Criminalization, stigmatization, and harassments have been a constant for women from La Puya. Initially, stigmatization originated with certain men in the community who abused them verbally, assuring that "if they were in the La Puya civil guard it was because they were looking for men". In addition, physical and sexual harassment on the part of company functionaries has also been recorded.

Yolanda has been the victim of sexually-oriented bullying, harassment, and false accusations on social networks, the idea being to intimidate her so she will keep quiet. In addition, she survived an attack with a fire-arm and has confronted lawsuits based on false accusations for having retained company officials. Despite considerable affectations, Yolanda and the women of La Puya continue resisting, until they achieve the definitive expulsion of mining from their territory.

4. LIMITATIONS ON WOMEN'S EFFECTIVE PARTICIPATION IN CONSULTATION PROCESSES REGARDING ENVIRONMENTAL ISSUES

Internal Limitations in the Community Context

To address the issue in this section, it is important to clarify that discriminatory dynamics inside indigenous, Afro-descendent, and peasant communities should avoid coming to abusive generalizations about 'the situation of women'. This is to say, there are a multiplicity of gender relation configurations, diverse positions and roles, and diverse meanings of being a woman and implications for her participation, that need to be observed carefully. On occasions, States and the media have exploited the equality discourse in order to sustain racist affirmations that delegitimize and stigmatize peoples' collective struggles, especially at critical junctures.

- Intra-family violence. The first limitations on women's participation are generated within the family: "roles assigned in the private sphere, the lack of examples of women occupying public decision-making spaces, low self-esteem, and even psychological or physical violence in the home" (CEPAL, 2014, p.52). This violence is exacerbated by alcoholism and the precarious nature of family economies generated by extractive enclaves. As Yadeny affirms, "low self-esteem and the marks of violence prevent women from becoming empowered and animated about participating in organization spaces".
- Overload in the Work of Caring. Indigenous, Afro-descendant, and peasant women take on enormous responsibilities in work involving caring. Generally, women must work more than men, and in unpaid labor (Guzmán and Soria, 2011). In addition to work in the home, they tend to become involved in harvesting and in the preparation of food and natural medicines (CEPAL, 2014). Referring to this situation, Eva Grueso narrates that "although the black community in very matriarchal, because women are the guardians of knowledge, this often turns into a load that is too heavy for them.... besides this, she is the care-giver

for the family and the community. Therefore, when it is time to elect positions for the council board, women begin by saying men should be elected because they claim they do not have time. The men are delighted. The women themselves choose to opt out”.

- Lack of recognition of their organizational work. As the CASA Collective of Bolivia points out (2014), women undertake almost all the logistical work during resistances related to extractivist activity, both in the mobilizations and in the home. However, this work is not recognized and the result is women’s voices are not taken into account in community settings. Eva Grueso recalls the origins of the Kuagro Ri Changaina, “Space of Women”, in PCN: “The PCN, like any mixed organization is macho and patriarchal, and our male colleagues forgot that we are where we are today, and that the conquests of the black community have been possible, because we women have been present. They forget this every second. It has been a constant struggle for this recognition”.

- Exclusion and Silencing. Since women’s voices question and challenge naturalized practices, the fact that they speak up and express themselves generates tensions in their communities and organizations (CEPAL, 2014). Despite advances won by women to strengthen their capacity to influence, they emphasize that patriarchal dynamics still determine community spaces. Lina Solano highlights that “women within the communities are always trampled by male leadership....the public spokesperson is always the man. There are few women who manage to become spokespeople and when they do, the men try to coopt them.

In the case of Ecuadorean communities, much of emerging leadership is linked to masculine figures or to electoral processes; besides, masculine leadership is considered to have greater legitimacy, the men being better trained to take on community affairs. Lina emphasizes that “male leaders have always excluded women, they simply deny them the possibility of speaking during meetings because they don’t want their women colleagues to be visible, even inside the communities”.

This silencing is also denounced by Yadeny: “indigenous authorities tend to affirm that women do indeed

participate; if ones goes to an assembly, it is recorded that effectively they were present, but this does not mean they have a voice and a vote, that they can express themselves freely, that they feel recognized and listened to. Any women developing her voice is silenced, or she even intimidates herself”. For Yadeny, the root of exclusion is the colonization process that transformed indigenous world visions, based in equality and complementarity. At the same time, historic discrimination in accessing formal education, and even their own education, generates a sense of insecurity in women and diminishes their capacity to take on positions in their organization.

- The role of the churches. As Yadeny mentions, in addition to historic colonization, the new churches that have strongly positioned themselves in some of the country’s indigenous ‘resguardos’ have contributed to reinforcing or introducing social imaginaries of gender that condemn women’s political action in public spaces.

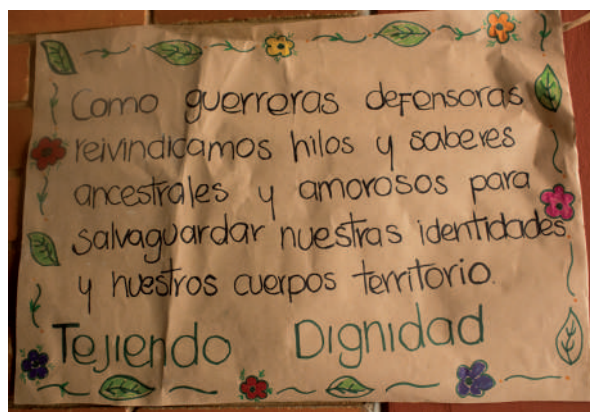
- Stigmatization of female leadership. Frequently, women find themselves confronted by stigmatization from their own male colleagues. In the case of the “Frente de Mujeres Defensoras de la Pachamama” (Front of Women Defenders of the Pachamama), in order to delegitimize their participation, men spread rumors and slander, and even accused women of having received money from the companies. Generally speaking, autonomous women’s processes are frowned upon by their male cohorts since they believe their intention is to cause fragmentation: “we are all the same, what are you doing molesting and dividing”- this is what PCN male members said when the women’s space was created, recalls Eva Grueso.

Formal and De Facto Limitations Exercised by External Actors

- Absence of a gender perspective. The most evident barrier, propitiated by States, is the lack of a gender perspective in legal procedures and practical manuals related to prior consultation, and in general, to citizen participation in environmental issues. At the same time, the lack of a gender focus in environmental im-

pact studies that make specific affectations visible, as well as the violation of women's rights, is emphasized.

- Difficulties to communicate in Spanish. In relation to the lack of culturally pertinent information and communication, women are more limited, since a higher number of women in relation to men do not speak Spanish, just their original language (Raico, 2011).
- Cooptation and negotiation with male leaders. In many cases, it has been shown that community issues related to territory move into the private sphere, the masculine medium of negotiation, which for the most part goes against the interests of peoples and especially of women's demands. This is because businessmen see "women as an unknown quantity" - as Dora Arias affirms- because they don't feel affinity and see their interests threatened by women, given the strength of their opposition to extractivist activities and their particular attachment to territory. For this reason they find men to be "their natural buddies" and so create an ambience of confidence to coopt them and facilitate the imposition of their companies in the territory. On more than a few occasions, these spaces are mediated by alcohol, which means that, 'man to man', the future of peoples is agreed upon. Eva Grueso argues there are also suspicions of some negotiations with women leaders but these are exceptional cases and of only slight significance in relation to male leaders.
- Masculinized spaces. The extractive model reconfigures community spaces and daily life around masculine needs and desires; the symbolic and material control exercised by external actors who burst into the territories (legal and illegal armed actors, company workers, and private security) increase women's vulnerability and exacerbate violences exercised against them. Obviously, this debilitates their capacity to influence decision-making and reinforces violences against women. And of course this is more evident in contexts of armed conflict.
- Persecution and stigmatization. Criminalization and political violence by public and private agents are mechanisms to neutralize women's struggles. It can be shown that verbal and physical harassment and mis-



treatment of women in general has become increasingly more frequent. However, it is exacerbated when indigenous women are involved, since they combine with manifestations of racism" (CEPAL, 2014).

5. "PARTICIPATION HAS NOT BEEN GIVEN TO US, WE TOOK IT FOR OURSELVES"⁴³

From documentary revision, but especially from the voices and experiences of women gathered through interviews, we can devolve the following conclusions about women's participation in consultations processes within a framework of defense of territories and nature in Latin America.

Lack of Specific Mechanisms and Barriers to Participation

One constant in all countries is the lack of specific mechanisms and participatory spaces for women to decide on issues relative to the environment and their territories. Despite the fact that international instruments make reference to this issue, provisions for the application of prior consultation and mechanisms for citizen participation lack a gender perspective; neither do they attempt to ensure equitable participation.

It is crucial to mention that the struggle to open up spaces for women's participation cannot be

43 Yolanda Oqueli

understood in isolation from the struggles of communities and peoples for the true exercise of their right to self-determination.

Actions and proposals formulated in this sense should be undertaken with the presence and approval of women, from a respectful, and at the same time critical, understanding of gender relations and each community's particular world view and form of life, without reproducing stereotypes of ethno-centric schemas.

On the other hand, women warn that real participation does not consist of 'their being' or 'having presence' in decision-making spaces, since their voices are often silenced or underestimated. For this reason, it is essential to transform this patriarchal logic which characterizes these spaces, from the roots.

Repertoires for Women's Participation and Action, from their Autonomous Initiatives

Given the context described, scenarios for, and forms of, women's participation have been constructed from their own autonomous initiatives, extending repertoires for the defense of territory and nature. This has been shown by the experience of the Kuagro Ri Changaina (Espacio de Mujeres) of the Process of Black Communities, the opening up of new spaces by the Wayuu women in La Guajira, and the Consolidation of a Women's Department of the National Indigenous Organization of Colombia; the process of the Front of Women Defenders of the Pacha Mama in Ecuador; and the women who have led the La Puya Resistance in Guatemala. The creativity and the tireless struggle of hundreds of other women who today are resisting extractivist activity, has made possible the following:

- The specific impacts on women's lives in contexts of extractive activities have been brought to light, as well as the construction of critical readings of alternatives to extractivist activity.

- Denouncement and development of actions against historic violences and discriminations that only worsen with the imposition of extractive activities.
- Recognition for the work of caring for the earth, water, native seeds and other common goods that women have historically undertaken, and the positioning of their particular visions in the context of environmental struggles.
- Transgression of stereotypes and assigned gender roles through politicizing spaces of everyday life, as well as the permanent critique of patriarchal logic that characterizes the behavior of companies, State agents, and traditional participation spaces in communities and mixed organizations.
- Generation of spaces that do not reproduce hierarchical dynamics, instead those grounded in solidarity, mutual support, and promotion of collective leadership.
- Articulation at the local, regional, and national levels with other processes, organizations, and networks that strengthen advocacy capacity and resistance in their territories.
- Creation of training spaces and communication strategies that promote inter-generational exchanges and support the dissemination of their problematics and proposals.

ANNEX

INTERNATIONAL STANDARDS OF WOMEN'S PARTICIPATION ON ISSUES RELATED TO THE ENVIRONMENT

Instrument/ Pronouncement	Description
1979. Convention on the Elimination of all Forms of Discrimination against Women, CEDAW	<p>Article 14 : "1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy (...)</p> <p>2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right to: a) participate in the elaboration and implementation of development planning at all levels."</p>
1992. Rio Declaration on the Environment and Development	"Principle 20: Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development."
1992. Agenda 21	<p>Chapter 24. Global Action for women towards sustainable and equitable development, Programme Area</p> <p>"24.1. The international community has endorsed several plans of action and conventions for the full, equal and beneficial integration of women in all development activities, in particular the Nairobi Forwardlooking Strategies for the Advancement of Women, which emphasize women's participation in national and international ecosystem management and control of environment degradation (...)."</p> <p>"24.6. Countries should take urgent measures to avert the ongoing rapid environmental and economic degradation in developing countries that generally affects the lives of women and children in rural areas suffering drought, desertification and deforestation, armed hostilities, natural disasters, toxic waste and the aftermath of the use of unsuitable agro-chemical products."</p>
1994. El Cairo. International Conference on Population and Development.	"3.30 Measures should be adopted to stimulate the full participation of all relevant groups, especially women, in all levels of decision-making on issues of population and the environment, with the goal of sustainable management of natural resources."

¹ This table has been elaborated from a compilation of international standards on women and the environment by Diana Murcia of the Urgent Action Fund-LA, available at: <http://www.fondoaccionurgente.org.co/#!/icmadocumentos-de-interes/cbd3>

Instrument/ Pronouncement	Description
<p>1995. Report of the Fourth World Conference on Women, Beijing.</p>	<p>"249.(...) Women remain largely absent at all levels of policy formulation and decision-making in natural resource and environmental management, conservation, protection and rehabilitation, and their experience and skills in advocacy for and monitoring of proper natural resource management too often remain marginalized in policy-making and decision-making bodies, as well as in educational institutions and environment-related agencies at the managerial level."</p> <p>"250. Women, especially indigenous women, have particular knowledge of ecological linkages and fragile ecosystem management."</p> <p>"251. (...) Women's experiences and contributions to an ecologically sound environment must therefore be central -104- to the agenda for the twenty-first century. Sustainable development will be an elusive goal unless women's contribution to environmental management is recognized and supported."</p> <p>"252. In addressing the lack of adequate recognition and support for women's contribution to conservation and management of natural resources and safeguarding the environment, governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes, including, as appropriate, an analysis of the effects on women and men, respectively, before decisions are taken."</p>
<p>1995. Report on the Fourth World Conference on Women, Beijing. Strategic Objective K.1.</p>	<p>Strategic Objective K.1. Involve women actively in environmental decision-making at all levels:</p> <p>"253. Actions to be taken by Governments, at all levels, including municipal authorities, as appropriate: (a) Ensure opportunities for women, including indigenous women, to participate in environmental decision-making at all levels, including as managers, designers and planners, and as implementers and evaluators of environmental projects (...)."</p> <p>"256. Actions to be taken by Governments: (a) Integrate women, including indigenous women, their perspectives and knowledge, on an equal basis with men, in decision-making regarding sustainable resource management and the development of policies and programmes for sustainable development, including in particular those designed to address and prevent environmental degradation of the land (...); c) Ensure adequate research to assess how and to what extent women are particularly susceptible or exposed to environmental degradation and hazards, including, as necessary, research and data collection on specific groups of women, particularly women with low income, indigenous women and women belonging to minorities".</p>

Instrument/ Pronouncement	Description
<p>1997. Committee for the Elimination of Discrimination Against Women. General Observation 7.</p>	<p>"12. The creation of stereotypes, including the media, limit women's political life to the environment, children and health, and exclude her from responsibilities in finances, budgeting and conflict resolution. The scant participation of women in the professions dealing with policies can create another obstacle".</p>
<p>2012. Working Group on the issue of discrimination against women in law and in practice. Report A/HRC/20/</p>	<p>"14. (...) no effective implementation of equality guarantees for women can be sustained without the genuine empowerment of women in all fields. This can only be achieved on the solid foundation of women's equal access to fundamental freedoms and rights, including the rights to security of person, to privacy, to freedom of expression, to freedom of association, and to freedom of thought, conscience and religion, in the context of the broader array of civil and political rights. Women's enjoyment of those freedoms and rights, in turn, can be attained only if they are able to benefit from their economic, social and cultural rights, including equal rights to property, occupation and employment, social protection and participation in cultural life, as well as from effective protection against violence."</p>
<p>2013. Special Rapporteur on Extreme Poverty and Human Rights A/HRC/23/36.</p>	<p>"47(...)Therefore, to prevent dominant groups from co-opting participatory processes, officials must be trained to detect and understand how power is exercised to control and exclude disadvantaged groups. They should diagnose and counteract power relations and ensure that their own actions do not reproduce or legitimize these power dynamics."</p> <p>49. Based on the principle of equality between women and men, this preparation must include a gender analysis, and members of both sexes must be given the chance to represent their views, including, if necessary, through specially targeted consultations (for example, women-only spaces) and support. Processes to identify participants must not rely on community elites in a manner that can reinforce existing inequalities, for example by requiring attestation from officials or community elites that a person is likely to be "affected" by the outcome of a decision".</p>

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**WITHOUT BEING
CONSULTED:**
THE COMMODIFICATION
OF OUR BODY-LAND
TERRITORY



WITHOUT BEING CONSULTED: THE COMMODIFICATION OF OUR BODY-LAND TERRITORY

LORENA CABNAL

MAYAN-XINKA COMMUNITARIAN FEMINIST:

AMISMAJAX

GUATEMALA

The Association of Indigenous Women of Santa María Xalapán, Jalapa- AMISMAXAJ- was born in the heart of the mountain of Xalapán, Los Izotes hamlet, in 2003, and was officially constituted in 2004. From the beginning, the organization assumed the defense of Xinka women in order to contribute to the eradication of different forms of violence exercised against them, especially sexual violence. At the same time, since its founding, the organization has been involved in the defense of ancestral territory, struggling against metal mining in the department of Jalapa, and contributing to extending awareness, at the national and international levels, of the existence of the Xinka people in the Mountain. The women who are members of the association have publicly defined themselves as feminists since 2007, and communitarian feminists, endorsing a native women's emancipatory proposal, since 2010. They have contributed to debates within the international feminist movement by providing categories and concepts, arising from their own feelings and thought, for interpreting oppressions, as reflected in the political slogan "recovery and defense of the body-land territory".

THE CONTEXT

Throughout the history of humanity, patriarchy has systematically incorporated multiple forms of oppression to strengthen its power, giving birth to capitalism's control over the lives of the worlds' peoples, to dominate, commodify, and enslave bodies. At the same time, capitalist oppression dominates and commodifies nature. It has been through patriarchal pacts and mandates, and exchanges of women's bodies linked to accumulation, expropriation, dispossession, and pillage of territories, that the perversity of patriarchal capitalism has taken shape.

In the case of native peoples, and particularly indigenous women who were born and live in Abya Yala¹, one of the effects of colonial capitalist patriarchy, which has been systematic and intentional in our bodies and lives for 522 years and that can be verified

1 It was the World Council of Indigenous Peoples, meeting every four years since 1977, which unanimously embraced the recovery of the ancestral terminology of Abya Yala as the designation of all territory that has been called America since the Spanish colonial period. In the Kuna language, "Yala" means earth, territory. "Abia" means "hole of blood", "mature", "free lands", "land of total maturity". Abya-Yala is the term used by the Kuna people to designate the grand earth, the free land. The recovery of this name was suggested by the Aymara, Takir Mamani, who proposed that all indigenous peoples use the term in their documents and declarations. "To call our cities, peoples, and continents by a foreign name is equivalent to subjecting our identity to the wishes of our invaders and their successors". From here on, the welcome recovery of this renaming of territory has been strengthened in Continental Summits of Indigenous Nations and Peoples, in continental indigenous coordination activities, and by several social movements.

today, is that, as indigenous women in the continent, we constitute the majority of the impoverished. Today, patriarchal capitalism, in its neoliberal phase, has established and imposed an interpretation of what the universal economic model should be, and insists this model of economic growth must be promoted for societies to develop. It is rooted in the logic of neo-economic accumulation of white, heterosexual, and western men; as well as of the extremely wealthy from the investment worlds of Europe, Asia, and North America, among others, who are, at the same time, potential foreign investors in countries such as Guatemala, where the main clients are States. The latter, in turn, facilitates all the necessary legal conditions, minimizes taxes, and signs Free Trade Agreements or Association Accords, committing itself to institutional alignment so that protocols, including trade liberalization, infrastructure, and laws, become attractions or incentives for foreign investment.

Under the disguise of social investors, as promoters of sustainable and sustaining² development, supposedly contributing to the strengthening of the State and its democracy by investing profits in education, health, employment and economic growth in the countries where they operate, there has been a migration of these masked actors after the signing of the Peace Accords, and increasingly so in the last few years, in countries like Guatemala.

This colonial nation-state, grounded in patriarchy, racism, and capitalism, has been incapable of resolving serious social problems arising out of 36 years of counterinsurgency warfare. During the subsequent 18 years, after the signing of the Peace Accords, it now affirms that to resolve impoverishment, violence, hunger, unemployment, and the lack of opportunities, what is needed is a strategy of economic investment, which was decided without consulting the people and indigenous communities. From its particular neoliberal patriarchal interpretation, the exploitation of natural

resources³ is seen as the greatest potential for national growth and the salvation for the development of Guatemalan society.

Considering that the institutional weakness of the Guatemalan State is currently penetrated by corruption and impunity, and that this same State ensures conditions for foreign investors for the setting up of commercial enterprises, we are led to consider the weaknesses involved in the applications for protocol validations used to authorize companies' social-environmental solvency before investing.

The privatization of State enterprises, after the signing of the Peace Accords, along with social deterioration due to the non-compliance of these Accords, has resulted in an increase in violence, and violence against women, placing Guatemala among the top countries in the world for the problem of femicide. In this panorama, the economic push by the government in facilitating foreign investment contradicts the defense of human and collective rights, within the logic of democracy

This situation became even more complex and constituted a huge blow to the process of strengthening the "Firm and Lasting Peace" announced in the Peace Accords, when ex-military, Otto Pérez Molina, backed by the right-wing Patriotic Party made up of military and business people, became President of the Republic on January 14, 2012. The possibility for generating other conditions for social re-organization in the

² The categories of sustainable and sustaining are used in this paragraph to define the neo-liberal interpretation for justifying development based on the everyday discourse of the country's mass media and which underpins current governmental discourse.

³ The category natural resources, as a tenet of neo-liberal discourse, is used in public dialogue by the current government and its institutions. As native peoples, we talk about natural goods, while the communitarian feminists speak of the natural elements of the cosmos.

country was derailed and the most devastating traumas from the counter-insurgency war were revived in the lives of indigenous communities, and of women, especially; women who are defending bodies as well as land, as territory.

XINKA PEOPLE OF XALAPÁN: NEITHER EXTINCT NOR SILENCED



By the middle of the 90's, the indigenous community of Santa María Xalapán was not appearing in records of the Xinka people, and the National Institute of Statistics- INE (for acronym in Spanish)- did not include demographic information about the Mountain. Data about the Xinka population was only registered for the departments (bordering) of Santa Rosa and Jutiapa. It was not until 2005 that Guatemalan society becomes aware of the existence of the Xinka people of the Mountain through women organized in AMISMAZAJ.



The Xinka are a native peoples, belonging to the Mayan heritage, who have lived in ancestral territory since time immemorial. However, when Guatemalan indigenous peoples are mentioned, the imagined reference is immediately transferred to the Mayans, and Guatemalans know very little about the existence of the Xinkas. Only eighteen years ago, in the framework of the signing of the Peace Accords on December 29, 1996, did the Guatemalan State officially recognize their existence.

Currently, there are several Xinka communities in Guatemala: of Jutiapa, San Juan Yupiltepeque, Santa María Xalapán, San Carlos Alzatate, Jumaytepeque, Guazacapán de Las Lomas Chiquimulilla, San Juan Tecuaco and of Santa Anita Nixtikipake Ixhuatan. It is estimated the Xinka population in Guatemala to be as many as 400.000 people, living in the departments of Jalapa, Jutiapa, Santa Rosa, and part of Escuintla⁴.

⁴ Preliminary Report on Human Rights Violations during the State of Siege in Jalapa and Santa Rosa, 2013.

The Xinka territory of Santa María of Xalapán is located in the municipality of Jalapa in the department of the same name, in the southeast of the country. It is made up of twelve Cantons and 37 Hamlets, with an approximate population of 85,000 inhabitants. Here, the community is organized⁵ according to ancestral tradition, based on principles, values, and community territorial autonomy with its own system of government, and with a more than 400 year-old history, according to colonial documents, even though ancestral memory of governance dates further back. Of the 973 units that were part of the area before the colonial period, today 397 have been expropriated due to expansion from urban Jalapa.

The district of Xalapán has its own indigenous government of 357 members, all men. This has been

⁵ Historia De Xalapán, Comunidad Indígena Xinka Montaña Santa María Xalapán Jalapa (History of Xalapán, Xinka Mountain Indigenous Community, Santa María Xalapán, Jalapa). By: Manuel De Jesús Aguilar Andrés. Xinka Xalapán Youth Collective. October 7, 2009.

its ancestral patriarchal configuration, and of course, nothing is known about the memory of women who have been part of this space. As a result, historically, there has been no equitable repartition between women and men in leadership positions. It was only two years ago that a few women were integrated into minor posts, the men continuing to represent the 12 cantons and the 42 hamlets. The result has been the establishment of the cabinet of Low Order members. The cabinet of High Order is composed of a foreman, one high order principal member, a clerk, a treasurer, and three additional members.

OUR PATHWAYS IN THE MOUNTAIN AS XINKA WOMEN

The Association of Indigenous Women of Santa María Xalapán Jalapa, AMISMAXAJ, was born thirteen years ago in the heart of the Mountain of Xalapán; in the hamlet of Izotes, located approximately 125 kilometers from the city of Guatemala towards the east.

On August 18, 2003, the “Group of Women Workers of the Land, Flower of the Coffee” (Grupo de Mujeres Trabajadoras del Campo Flor del Café) came into being- GOMUTRAC (for Spanish acronym)- operating in a clandestine way to promote indigenous women’s rights against racism, discrimination, impoverishment, and violence against women. Considering the indigenous machismo that existed in this area, at the time only five public places were considered legitimate for women to be able to leave the home: to fetch water, to gather firewood, to go to work places, that is places for cultivating and harvesting, to grind flour for making tortillas, and to attend church. We also organized out of indignation caused by the hunger, preventable diseases, and malnutrition that were causing numerous maternal deaths, as well as of boys and girls.

At that time, an indigenous woman’s organization, for women and led by women, was not registered, since all their organizations were associated with political parties, community banks, or were of a religious nature, and all led by men.

On July 24th, 2004 this group of women (GOMUTRAC) came to be known as AMISMAXAJ, acquiring greater relevance in the struggles for women’s rights and in the community, and initiating a relationship with the Political Alliance, Women’s Sector.⁶

Ending violence against women, and specifically sexual violence, was to become one of the demands during the struggles of organized women in the Mountain, from then on. With time, and without realizing it, they began weaving a proposal for the recovery of the first territory, the body, and this immediately led to calling themselves communitarian feminists, and which included an epistemic proposal from native women. As a result, these women have been contributing to international feminist debates with categories and concepts for interpreting oppression based on their own feelings and thinking, and reflected in the political slogan “recovery and defense of the body-territory”.

“Defense and recovery of the body-land territory”, defines a way of positioning and sensing the body as a living and historic territory.

In no way does the term refer to an interpretation from the perspective of western geography, and even less so, as a geography of the body, or a map. It refers to a cosmogonic interpretation, which is also political, in the sense that it shows how bodies maintain a vital relationship of being and living within the Network of Life. At the same time, we are asked to revise how multiple oppressions have been constructed on our bodies, starting with the bodies that suffer the historical-structural consequences of patriarchy, colonialism,

⁶ The Women’s Sector is a Coordinator of women’s organizations, feminists, and social organizations that came into being on May 11, 1994 within the framework of the Peace Accord Negotiations between the government and the URNG. Among its main activities, in this context, was the struggle to ensure that specific and substantive agreements favoring Guatemalan women were enshrined. The Women’s Sector today defines itself as a feminist and left-oriented political Alliance that brings together 33 organizations nationally in Guatemala. AMISMAXAJ has been an active member since June, 2004.

racism, and neoliberal capitalism, which have caused expropriations through pacts and mandates.

In addition, the Association has been involved from the beginning in the defense of ancestral territory in the struggle against metal mining in the department of Jalapa and has contributed to ensuring that the existence of the Xinka people in the Mountain is known nationally and internationally.

WOMEN REVITALIZING THE ETHNIC IDENTITY OF THE XINKA PEOPLE IN THE MOUNTAIN

In 2005, we women of AMISMAXAJ began to actively participate in processes claiming Xinka identity and in the defense of land and territory. In the month of May, 2005, we undertook interviews with public officials- mayor and governor- of the department of Jalapa. Our objective was to get their answers to the following questions: What are the mechanisms for promoting women in the department, based on the signing of the Peace Accords? What percentage of the population in the department of Jalapa is indigenous?

Their answers were patently racist and they coincided in affirming: "there are no indigenous here, they exist in the country but far from here, in the western part. Those of the Mountain call themselves indigenous but they have nothing to do with indigenous since they have no specific dress or language. There is only the name which they do not even use".

We proved that mechanisms for advancing Xinka women in the department were not in use, and that there was no departmental policy for transforming the situation and conditions of impoverishment. In addition, the political parties harassed women by buying their vote with a plate of food. We felt incredibly indignant faced with such absences and manipulation.

We decided to join forces and challenge the racism, discrimination, sexual violence, impoverishment, impunity, and corruption of public officials, political parties, and land-owners. We went into the streets of the town to proclaim our truths and so the world would know

about us. At the time, it was we women who disturbed the indigenous government; we had decided to come together and request a meeting so we could let them know of our indignation about racism, impoverishment, and the forms of violence being experienced.

Therefore, together with another initiative organized by the children of the founders of ASISMAXAJ, the Xinka Youth Collective, we proposed undertaking a census, the informational base of which would be the annual payment made by families to the Xinka government- a contribution to cover territorial administration costs called 'three for a thousand'. From this account, it was possible to determine that while the National Institute of Statistics census- INE- registered 16,700 Xinkas in the entire country in 2004, without considering any data from the Mountain, in this register alone 85,000 inhabitants were accounted for. It was clear that the number of entire families who had migrated to the coffee and sugar-cane farms outside the Mountain had not been considered.

Given this situation, we decided to organize our first march to denounce institutional racism and statistical ethnocide. For the first time, we proclaimed in the streets: "here are the women and men from the Mountain, we are not extinct, and we have come to reclaim what is ours according to the Law- the land of our foremothers and fathers in order to cultivate the new seed of liberation".

From this moment in 2005, we women assumed the task of making the existence of the Xinka people known, both in the department and in Guatemala City. As such, we were contributing to claiming and revitalizing an identity that up until then had not been recognized.

SUSPICION OF WOMEN: VITAL ENERGY FOR THE UPRISING AGAINST MINING IN THE MOUNTAIN

In March, 2007, two of our sisters, together with other women from different, national-level organizations, convened by the Women's Sector, participated in observation sessions of community consultation, by show of hands, on mining in Huehuetenango. This depart-



ment is located in the west of the country, bordering on Mexico and the population here is mostly indigenous Maya Mam and Kanjobal. The legal framework included ILO Convention 169 and the Municipal Code. In the context of this consultation, 17,141 people said no to mining.

This experience was important because, for the first time, Xinka women came into contact with the Mayan territory of the western region. As a result, it was a great learning process about how native authorities had undertaken prior community organizing with the involvement of women, children, youth, teachers, social organizations, women and feminists, as well as alternative media which provided coverage of the process and the results.

After a very long return trip of nearly three days to Xinka territory, we held a follow-up meeting on the consultation observations process that our sisters had engaged in. They shared all the information possible with the members of AMISMAXAJ and it was then that the suspicion arose: "¿Why is the eastern region of the country so quiet and why is there so much silence?; how can we be sure that licenses are not being

granted here?; are we sure the indigenous government knows nothing about this?; what can we do to inform it and do something together?"⁷

Given this suspicion, the following idea occurred to us that day: go and visit the Xinka government, inform it of the results of the women observers of the process in San Pedro Necta, and ask them the questions we had formulated.

Later, this resulted in the Xinka government requesting training from us to reflect on the issue. We had to share the contents of ILO Convention 169 and the Municipal Code, and we began to ask ourselves what would happen in Jalapa where the land is communal, in the event there was no popular consultation and mining exploitation licenses were being granted. This would constitute a serious violation of the collective rights of indigenous peoples.

The year 2008 was one of community meetings in several hamlets, together with the Xinka government, in order to talk through concerns; in these, we stipulated the need to consult people on what they thought about this problem.

XINKA WOMEN MANAGE TERRITORIAL COORDINATION AGAINST MINING IN THE MOUNTAIN

On December 14, 2008, AMISMAXAJ, together with the indigenous government and the Youth Collective, Xinka Xalapán, convened an open meeting to inform all representatives from the Mountain about the problem of intentions to purchase land for oil exploration studies and about suspicions concerning the extension of metal mining licenses. However, at this time, we did not have the names of either the companies or the investors. It is from this point that the ACOXX- Xinka Xalapán Community Action Group- a coordinating body in defense of territory, would come into being. It was made up of the indigenous government, women from AMISMAXAJ, youth, the Parish Council, commu-

⁷ Contribution from Lorena Cabnal, Record of the meeting of the AMISMAXAJ Coordinating Collective, May 14, 2007, Hamlet of Los Izotes, Mountain Indigenous Community of Santa María Xalapán, Jalapa, Guatemala.

nity representatives, and mixed organizations with a presence in the Mountain.

By the beginning of 2009, our paths of struggle were exhausting the appeal mechanisms of the-then Governor, Mayor, and deputies, the latter associated with the Political Union of National Change Party – UCN (for acronym in Spanish), formerly the FRG; of the commissions on Environment, Energy, and Mines; and of the National Congress. Given the manipulation of information, we preferred to exhaust the protocol enshrined within the Law of Free Access to Public Information that had been ratified that year.

We were not satisfied with the scanty information provided to us: two fax sheets showing only two licenses under study and in process of being granted. We were indignant, we felt we had not been respected, we suspected there were more, we felt this intensely, and so the slogan that brought us together with increased fervor was:

“if our land is touched, so is our blood; if our blood is touched, so is our land”.

AUTONOMOUS AND ANCESTRAL CONSULTATION OF THE XINKA PEOPLE IN XALAPÁN

Ancestral consultation among native peoples is an ancient practice handed down from generation to generation, and preserved in the writings or inserted in the orality of collective memory, where ancestral memory for dealing with community, family, and personal affairs⁸ is registered. It cannot be considered an isolated event, rather it must be understood within the context. In the same way, it is considered to be part of social organization and the system of indigenous justice. In fact, it is a norm of general compliance that authorities take decisions only when the community assembly has been consulted and its approval obtained.

⁸ Read “El derecho a la consulta de los pueblos indígenas en Guatemala: la ruptura entre el discurso y la práctica” (Indigenous Peoples’ Right to Consultation in Guatemala: Rupture between Discourse and Practice); Guatemala, 2010. P. 50

The first consultations referring to the exploration and exploitation of natural resources in Guatemala go back to 2005; in the space of five years after this date, more than 43 consultations of this nature have been recorded throughout the country.

In the case of Xalapán, decision-making and consultation are ancestral. The way of consulting the people about important decisions concerning the territory is guided by the internal law of the Mountain and requires a massive convening of its inhabitants. On this day, sports, social, cultural, and educational activities are suspended so that the people can gather with their representatives, including the greater cabinet, minor cabinet, auxiliary mayors, and the people, to receive information and decide collectively.

These are ancestral assemblies involving thousands of people; between 5,000 and 20,000 people, or more, may participate. It was in this broad space that thousands of community members took the decision to hold their own ancestral and autonomous consultation to say “NO TO MINING IN XALAPÁN”, which was undertaken in 2009.

The people were in agreement, and the communities, in coordination with their community authorities, organized members of minor cabinets and auxiliary mayors, as well as Parrish Councils, at the sectorial level. They used community radio, homilies, cars with speakers, and megaphones and horns in the communities, in town squares, and outside the churches. People were invited to come forward, sign, and leave their identification number to decide if they were in agreement with granting mining concessions. At that time, official data of how many licenses had been granted was still not known, but it was perceived that the silence of public officials was not a good sign.

More than 20,000 community members said they did not want mining in the Mountain; girls and boys, adults and the elderly, auxiliary mayors, members of the greater cabinet, and church members, were not in agreement with the entry of mining initiatives, especially because their elders nor the people had been consulted.

Subsequently, the results were presented in an Assembly that took place in Laguna el Pito, an ancestral

meeting place, where a huge majority representing the people validated the results. With this endorsement and more than 20,000 signatures, on June 9, 2009, the day of the marches of thousands of people was initiated and a press conference took place at the headquarters of the Xinka Government. For the first time, public officials were summoned, but only the Municipal Mayor showed up who was handed a copy of the signatures. On this same day, the group reached the governor's offices and the deputies who had made light of our request for information about mining concessions in the department of Jalapa.

This had been an historic ancestral and autonomous consultation, given that the form of Xinka territorial organization and decision-making for consulting the people did not involve the established mechanism of the Municipal Council's legal framework, not the ILO Convention 169; instead it was undertaken according to the Xinka's own form of governance.

The peoples' decision and the use of a mechanism from the ancestral judicial framework were handled correctly. Although occidental consultation mechanisms, within the framework of Indigenous Peoples' collective rights, nationally and internationally, were also useful to us, we first wanted to exhaust the autonomous consultation, legitimated by the voice of the people and their collective decision.

With this result in hand, we initiated intense manifestations in the city of Guatemala in front of such offices as the Congressional Commissions on Energy, Mines, and the Environment of the Ministry of Energy and Mines. We could verify that the concessions expected to extract gold, nickel, quartz, cobalt, silver and stone. We managed to get the official mining map and the list showing 16 licenses under study and be-

ing considered, and 15 in the exploitation phase. This means a total of 31 exploration and exploitation mining licenses for the department of Jalapa.

Given this situation, we decided to demand respect for the collective rights of the Xinka people of the Mountain, enshrined specifically in ILO Convention 169. With this in mind, several political declarations and denouncements were issued, nationally and internationally, by AMISMAXAJ together with ACOXX. In addition, we held press conferences and interviews with several mass media, allowing us to publicize our demand for compliance by the Guatemalan State, as a binding international legal instrument for the protection of the rights of peoples.

REACTIVATION OF INDIGENOUS MACHISMO IN XALAPÁN FACED WITH AMISMAXAJ WOMEN'S PARTICIPATION

In 2010, the appearance of new indigenous authorities in the Mountain changed the direction of the process. They started to exercise their authoritarianism and indigenous machismo and diminish the importance of opinions of women from AMISMAXAJ.

As such, a number of actions and decisions are unleashed, displacing women's historic work and sending them back home to assume their domestic roles in the private sphere, attending to their husbands, and procreating their children. Forms of indigenous machismo are reactivated and men leaders assume the territorial processes against mining, undermining years of work previously made by women and ACOXX. Stigmatization intensifies because we call ourselves communitarian feminists, and the risks, attacks, and threats increase.

The reactivation of indigenous machismo in Xalapán was due to two main reasons. In the first place, AMISMAXAJ had become a threat for the indigenous government, given they were monitoring cases of sexual violence against girls and young women, perpetrated by some of its members. At the time, monitoring undertaken by the organization produced results, given that several arrest warrants against the abusers were issued.

In the second instance, AMISMAXAJ denounced and displayed its discontent of the activities of groups of

organized men- some belonged to the indigenous government- who were exerting pressure to obtain property titles to land so they could re-sell it. This meant that our slogan to defend and recover territory ended up becoming a business. By denouncing such actions, AMISMAXAJ became the target of threats, stigmatization, and cruel remarks based on the rejection of women's participation in community affairs.

CONSULTATION WITH NEIGHBORS IN THE MIDST OF THE STATE OF SIEGE

The Xinka people of Jalapán, advised by environmental NGO's, decided to hold a consultation with neighbors, considering we had no experience in the realization of the of the consultation within the ILO Convention 169 framework. Women participated in this consultation throughout their communities.

The Consultation of Neighbors is a possibility people have for deciding on issues that are binding for the neighborhood, and which has a legal framework in the Guatemalan Constitution, such processes being backed by Decree Number 12-2002 of the Municipal Code:

“Article 63. Consultation with neighbors. When the significance of an issue esteems it convenient to consult the opinion of neighbors, the Municipal Council, with the vote of two thirds (2/3) of its members, can agree that said consultation take place, adhering to the modalities indicated in the following articles”⁹

While it is recognized as a legal mechanism relevant to urban consultation processes, it does not specify the exact situation for the exercise of the right of an ancestral people, from their historical and territorial identity, as in the case of the Xinka people of Jalapán. We women proposed that the town realize the consultation

of neighbors since mining issues were the competence of the municipality, and that the Mountain realize a Prior, Free and Informed Consultation within the framework of ILO Convention 169. Our proposal, however, was rejected.

Within the process, the Consultation of neighbors was included, and the Mountain was far from imagining what was to come. Within the framework of a strategy masked to combat violence with a heavy hand, but with the real objective of guaranteeing protection of the wealth of foreign investors, the Pérez Molina government attacked with a strategy of re-militarization of the territory and imposed a state of siege, on May 1, 2013.

The state of siege¹⁰ was imposed in the department of Jalapa, given resistance by the Xinka people of the Mountain of Jalapán and Mataquescuintla, joined by resistance from San Rafael Las Flores in the department of Santa Rosa, which mounted a protest against the San Rafael Mining Company, subsidiary of the Canadian companies, Tahoe Resources and Goldcorp which share business connections¹¹.

Tahoe Resources, pushing ahead with its only mining project in Guatemala, “El Escobal” (located three km. from San Rafael Las Flores), entered the extraction phase at the end of 2013, and currently is in the commercial production phase. Its potential extractive interest is centered on an investment of more than US\$500 million for silver extraction, after the discovery of a huge deposit estimated at more than 315 million ounces of metal (8.9 million kilos).

The then Minister of Government, Mauricio López Bonilla, announced the government's strategy¹² for implementing states of exception in areas of greatest incidence of violence in the country. This strategy in-

¹⁰ The preliminary report on Human Rights violations under state of siege in Jalapa and Santa Rosa, of May, 2013, assures that “decreeing a state of siege forms part of the remilitarization policy of the Otto Pérez government, in support of licensing concessions for extractive megaprojects enshrined in a non-consulted and destructive development model”; and that “it is evident the created military units are situated close to megaproject installations”.

¹¹ It was founded in 2010 by Kevin McArthur, now the ex-president of Goldcorp. In the month of May of 2010, Goldcorp sold its rights to silver exploitation in the Escobal project to the recently-founded Tahoe Resources.

¹² According to announcements in local media: Emisoras Unidas, April 14, 2013.

⁹ See: <http://leydeguatemala.com/codigo-municipal/consulta-a-los-vecinos/7884/>

volved the use of criminalization, prosecution, and stigmatization of men and women who protested against the imposition of extractive projects in their territories.

In the midst of the state of siege- that remained indefinite in the territory- on November 10th, 2013, the Consultation of Neighbors finally took place in the municipality of Jalapa.

**There was only one question:
“Are you in agreement with the
development, installation, and
operation of chemical mining
of metals in any part of the
Municipality of Jalapa?”**

To undertake the consultation, 137 tables were installed in 46 voting centers in the town and in the Mountain of Xalapán. The consultation attracted 24,552 voters, representing 37% of the electoral roll, who voted in the following manner: 23,152, that is to say, 99%, said NO to mining; while only 399 voted in favor. In addition, 873 nulled and 128 blank votes were registered.

Women actively participated in several coordinating activities: ensuring visibility of the mining problematic in the municipality, dissemination and promotion of the vote, and involvement and oversight at the voting tables.

Through the emission of a Municipal Accord, the Municipal Council became involved in the process. In addition, the Municipal Mayors of the departmental urban center and the municipality of Mataquescuintla also participated. This resulted in a coming together of activities of the indigenous government with what is established in the Municipal Code in terms of protocol and convenings.

For two years, this route meant that both the exiting indigenous government, as well as the new one, assumed responsibility for following the case in the Court of Constitutionality. Together with lawyers and other environmental and indigenous organizations, they applied pressure to determine the binding nature of the result of the consultation.

In the interim, the indigenous government decided to form a Xinka women’s coordinating group, given the increasing demand for greater women’s participation in spaces of dialogue, which at that time was practically nil. As a result, several women from the communities are called to become part of the processes. AMISMAXAJ was not invited as an organization, but several of its members were invited to participate, who, due to multiple situations of risk and threats, could not be effectively integrated into the process. On the other hand, it was also observed that many women who were participating did so at the bidding of the leadership and the discourse imposed by members of the indigenous government, and not from women’s specific contributions.

In 2014, the first year of the consultation was commemorated without much enthusiasm from the population in the Mountain, and even less so in the departmental capital of Jalapa.

**However, the process continued,
and as a result of years of work
and the Consultation of Neighbors,
the people finally achieved that
Xalapán be declared a territory free
of mining at the beginning of 2015.**

**XINKA WOMEN IN DEFENSE OF THE
BODY-LAND TERRITORY**



For indigenous women living inside territories where the State has not resolved the effects of the war, who are at the same time impoverished, who remain distant from Peace Accord promises, and who are commodified by extractive concessions of natural wealth, the panorama is quite bleak. However, it is important to acknowledge that historically it has been indigenous women’s bodies that have also rebelled against the oppression of dispossession and pillage and the forms of violence exercised against their bodies and the land.

We women defend the territory-land because we recognize the importance of concrete spaces of meaning where life is constructed and recreated. There are



many stories like this, ranging from grandmothers and great-grandmothers in resistance against forms of colonial domination to contemporary women in resistance who today put their bodies on the front line of attack in order to defend their lives, families, and communities.

This space, the territory-land, is seriously threatened when militarization is imposed on indigenous territories¹³, and it is important to shed light on the specific forms of oppression this generates on the bodies of women living inside the territory and on those women who have participated in public resistance.

Ten months after the state of siege was imposed in Jalapa and Santa Rosa, we women of AMISMAXAJ publi-

cly denounced the birth of girls and boys resulting from histories of sexual violence exercised by soldiers. Later, during the presence of the military detachment in the Mountain for a year, many stories of sexual harassment and community control and intromission in the daily lives of women were recorded. This shows how patriarchy operates beginning with militarist oppression.

The fact that thousands of soldiers¹⁴ took up positions on the roads at the edge of areas where women washed clothes or where they planted; or in front of schools in order to harass girls; or that they threatened to sexually violate women leaders or their daughters for being involved in "off-limits affairs", meant women's bodies were placed on the front line of attack.

¹³ The Preliminary Report on Human Rights Violations under State of Siege in Jalapa and Santa Rosa reported the following violations: abuse of authority, overuse and disproportionate use of force, threats and intimidations, psychological damage to the population with special emphasis on women and girls and violation of children's rights, de facto restriction of rights such as educational activities, theft and destruction of goods, death of the new-born due to a lack of opportune attention, and denigrations of women.

¹⁴ Several media outlets notified that to implement the state of siege, 2,500 soldiers were transferred, as well as 1,000 army members from different divisions, and another 1,000 police. See: <http://www.plazapublica.com.gt/content/las-mentiras-del-estado-de-sitio>

These cases were taken up in the conformation of a Verification Commission on the Human Rights of women of Jalapa and Santa Rosa living under a state of siege¹⁵, along with other organizations we had set up in the context. For several of us, to undertake the political work of denouncement and public action, we needed to feel safe, and to be accompanied by international organizations¹⁶ or have access to European Union embassies in the country so that, within the framework of compliance with the Special Directives on the Protection of Human Rights Defenders¹⁷, it would be possible to locate protection measures given the danger of attacks, threats, and risks that defending the body and the land implies. However, nothing stops us; each time, we are more women taking to the streets, convinced the world does not change out of fear and from inside the home.

To denounce current neoliberal patriarchy, operating from the imposition of companies, is one more struggle added to those we already bring forward from history and daily life- including the struggles we have waged against diverse forms of indigenous and mestizo ladino machismo, misogyny, racism, and impoverishment. It is true this takes a toll on one's body.

15 This Commission was made up of 23 women's, feminist and indigenous organizations, designed to provide follow-up to the situation of grave Human Rights violations of women. The Commission called a press conference on May 23, 2013 to denounce the situation of women, and was able to secure the accompaniment of international organizations for the protection of Human Rights defenders, as one of the security measures.

16 Since 2004, AMISMAXAJ had been subject to threats, illegal break-ins, and persecution due to the political work of public denouncement. To denounce political parties that negotiate with women's hunger in the Mountain, as well as associations with narco-trafficking, trafficking of girls, boys, and women, sexual violence, large land-owners, and the impunity, corruption, and racism of public officials has been what characterizes this women's organization. Today, much of the work continues to be undertaken on a low profile basis in order to guarantee women's lives. The struggle against mining from 2008 opened up a new front of risks and threats. In May, 2013, 18 women's homes were raided during the state of siege. It is possible to undertake this work with the accompaniment of International Peace Brigades, the Washington Human Rights Commission, Guatemala office, and membership, since December, 2013, in the Alliance against the Criminalization of Human Rights Defenders in Guatemala.

17 Within the framework of the 10th Anniversary of the European Union Directives for the protection of Human Rights defenders, the defenders of territories have been able to establish a relationship in order to show the international community their serious situation of criminalization and prosecution, both at the national level as well in European institutions.

However, several of us who have initiated territorial resistance movements are clear that within movements for the defense of territory-land, we are also struggling against patriarchal forms of certain male colleagues who displace women leaders.

Therefore, to defend land without postponing defense of the body as territory, is a women's struggle, differentiated from that of men in resistance, because even though it is certain that everyone, men and women, are in the movement for the defense of the territory-land, this struggle does not necessarily integrate the defense of women's bodies.

"OUR BODY-LAND TERRITORY IS NOT FOR SALE; TO BE RECOVERED AND DEFENDED"

This is an historic contribution, born at first as a political slogan for the territorial defense of the Mountain of Xalapán, and within the framework of struggle against sexual violence and against mining. However, it later becomes a political category of communitarian feminism in Guatemala.

As has been mentioned, "Defense and recovery of the body-land territory", defines the way in which we name and feel the body as living and historic territory.

To feel the body as territory, implies recognition of a conscious dimension of life with which we are born and on which the entire cosmic relation is woven. It is a place of location, it is a place where our word, our senses, our desires, and our history are located.

It has its own temporality and it has threads that unite it with ancestrality, with the present, and with future time in other generations. The body has the energy and the capacity to feel the life of other bodies and the energy of nature. Together with the elements of

the cosmos, it is vital energy for recreating and revitalizing life.

The body-territory refers to a multidimensional place that has an energy-giving, physical, mental, spiritual, communitarian, and erotic-sexual dimension; it is a place where there is no gender assignation, where the plurality of bodies with which once can live, love, eroticize, be passionate about, feel happiness and pleasure is recognized.

In this sense we believe that the body is a vital space from which conscious life takes form, and at the time weaves together all the other elements of the cosmos in order to provide, together with everything else, harmonization with the Network of Life. However, we also believe that in the rupturing or de-harmonization of this network, due to native ancestral patriarchal behaviors, the territory-body of some women prior to colonization, manifests specific forms of expropriation.

That is to say, we believe in the probability that at some moments of community and family life, decisions were determined through their bodies, without taking into consideration the right to be consulted.

These bodies became fodder for territorial wars and for indigenous masculine pacts of marital co-existence and agreed-to dowries. El droit de seigneur still survives in certain communities. The handing over of women to the winning warriors was one of the expression of ancestral patriarchy in its own manifestation.

To recognize the way in which our first territory, the body, has been historically and structurally expropriated and decided upon for the benefit and sustenance of these systems is important, since it also makes us think about how our territory-land has been expropriated and decided upon.

It is into this colonial nation-state that we were born, and live today as continuing generations of

Mayan and Xinka peoples, along with other human peoples of the Abya Yala; in this colonial nation-state, we live as indigenous, afro-descendent, mestiza, and migrant women, or however we define our territorial or political identities.

To undertake resistance in the defense of the territory land without forgetting about our bodies is a political act of hope so that other generations of women and peoples may contribute to the construction of a new world, moving us from oppressions to emancipations. It is disturbing for the system, that in the midst of its threatening neoliberal patriarchal model, we have the energy to release our demands with joy and with our sense of indignation.

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EL YASUNÍ:
A SEEDBED
FOR CREATING
OTHER WAYS OF
DEFENDING LIFE



EL YASUNÍ: A SEEDBED FOR CREATING OTHER WAYS OF DEFENDING LIFE

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INTRODUCTION

In 2008, Ecuador experienced an important historical moment when a new Constitution came into being, one that contained several demands and proposals originating in historical social processes from previous decades. Many of these proposals written into the Magna Carta seemed to project a new moment for the country, after a period of neo-liberal consolidation and serious abuse of social, economic, and environmental rights, within the framework of a weakening of State institutions.

This social-political sea change, produced by the formulation of the new Ecuadorian Constitution, reflected proposals that had been articulated during several years of social struggle, proposals such as the Plurinational State, the recognition of the Rights of Nature, and the Sumak Kawsay or Holistic Living², as well as advances in a series of rights, including the right to popular consultation in cases of national relevance for the country.

Within this context, the viability of a proposal to not extract crude oil from the National Yasuní Park was put forth by civil society. This was an important initiative in environmental terms, not only for Ecuador, but for the world, and was known as the Yasuní ITT Initiative. The Yasuní is a 982,000 hectare National Park, situated in the Ecuadorian Amazon, within the provinces of Pastaza and Orellana. In 1979 it was declared a National Park. In 1989, an area even larger than the Park, was declared a Biosphere Reserve by UNESCO due to its natural and cultural richness. The Yasuni was a li-

ving refuge at the end of the Ice Age³. To the south of the National Park, one finds the Tagaeri-Taromenane Untouchable Zone, a space designated to surviving indigenous peoples living in voluntary isolation, although due to their nomadic way of life, it is understood they occupy more than this space. The ITT is only a part of this vast territory.

According to the ITT Yasuní initiative, the Ecuadorian State promised to leave approximated 857 million barrels of petroleum below ground indefinitely in order to avoid the emission of 407 million metric tons of carbon dioxide into the atmosphere due to the burning of this fuel. To accomplish this, it would be necessary to establish agreements with other countries, especially developed countries, which, after receiving economic compensation, would establish a trust with the Ecuadorian State up to an amount of 50% of the utilities profits that would have been obtained had the petroleum been exploited. With this, Ecuador made a general commitment to the management and care of the protected areas and to the transformation of the production matrix to one that was consistently less dependent on the use of fossil fuels.

Such a scheme would, for the first time, provide Ecuador and the rest of the world, with the opportunity to finally begin to transform dependence on fossil fuels and to generate an economic strategy for social-environmental and climatic justice.

The proposal was born during the 90's as a commitment to put the brakes on the petroleum model after the Texaco-Chevron story, the cause of one of the largest social-environmental disasters that had occurred in Ecuador and in the world.

¹ Ecuadorian feminist with ten years of experience, and an ecologist her entire life; member of the Yasunídxs Collective, of the "Miradas Críticas Del Territorio" Collective (Critical Approaches from Territory) from a feminist perspective, as well as the feminist magazine, Flor del Guanto.

² The Plurinational State (Art. 1) refers to the inclusion of diverse indigenous peoples and nationalities; of peasants, and blacks who live in Ecuador. The Rights of Nature (Art. 71) refers to the recognition of nature as a subject of rights; while Sumak Kawsay or Holistic Living are terms originating with the Andean worldview. For further information see: <http://www.asambleanacional.gov.ec/documentos/Constitucion-2008.pdf>

³ <http://sitio.yasunidos.org/es/>

This history, along with others causing serious environmental destruction and disasters for indigenous peoples, generated rejection as well as social mobilization in the Amazon by people living in the Yasuní, a territory where the oil frontier was expanding.

This mobilization was led by the Waorani People, ancestral inhabitants of the Yasuní, as well as by environmental collectives such as “Acción Ecológica” (Ecological Action) and several academics who spread the word about this proposal to leave the oil underground in the Yasuní. These were precedents that sowed the seeds for what, in 2007, came to be called the Yasuní ITT Proposal and which was broadcast to the world by President Rafael Correa.

His government, which formed part of the wave of so-called progressive countries in Latin America, formulated a series of political strategies that came together in the Constitution, following on the social struggles mentioned previously, and which generated the Yasuní ITT Initiative. In this way, environmental discourse in Ecuador and the rest of the world was strengthened. However, a short time later, the true practice of the Ecuadorean government began to greatly distance itself from this discourse.

As a result, the Yasuní ITT initiative was presented in the global media as a proposal to save one of the most biodiverse places in the world and home to peoples living in voluntary isolation, Tagaeri Taromenane. The proposal to leave the oil underground was intended to be a contribution to a world in the midst of extreme climate crisis. However, there was also a less visible, parallel, Plan B, which was to exploit the oil in the event the necessary economic resources were not obtained to guarantee that the initiative could become a reality.

On August 15, 2013, the same President Rafael Correa announced in a communique to the nation that the Yasuní ITT proposal was finished. He argued that

the world had failed him, that sufficient money to develop the proposal was not available, and that petroleum exploitation would take place with an impact of one to a thousand, an impact formula based on faith in high-end technology, something quite unlikely since it would be impossible to prove that the impacts in a sensitive territory would be one to a thousand. It is important to point out that his discourse at the time was directed principally to young people who had been the main supporters of the Yasuní ITT proposal.

In the announcement, what was not said was that the oil negotiations had already begun. Several signals surrounding this situation were clear: threats of possible exploitation of ITT in the case the money was not forthcoming⁴; meetings between oil industry executives and the Ministry of Non Renewable Natural Resources⁵; attempts to deny the existence of the isolated peoples Tagaeri-Taromenane by the Minister of the aforementioned Ministry, among others. All of this added up to the fact that when the President announced oil exploitation, the machinery to initiate activities in the Yasuní territory was in place a short time later. From this moment onwards, huge social mobilization began.

DEBATES CONCERNING THE EXPLOITATION OF THE YASUNÍ

As was mentioned previously, from the very moment the Yasuní ITT Initiative was announced, an almost secret debate began to take place, based on the existence of the “plan B” which proposed oil exploitation in case the trust for the Initiative did not materialize.

However, it was publicly and politically necessary to maintain the Initiative to save the Yasuní in order to strengthen social support for the proposal to leave the oil underground, with all that this implied. Between 2008 and 2013, a series of encounters, discussions, debates, forums, and photographic expositions and videos of the Yasuní, its biodiversity and its people,

⁴ There is a recompilation of information regarding this situation in: <http://www.amazoniaporlavida.org/es/Noticias/>

⁵ Ministry charged with State oil projects.



took place. Training and dissemination sessions were programmed for schools, secondary institutions, neighborhoods, and universities, and as a result, the idea of leaving the oil underground in the Yasuní took hold in the country.

The debate about whether or not to exploit oil in the Yasuní was taken up in several social scenarios; the dream of bringing a truly transformative idea to fruition, given the climate change crisis, became a possibility that was discussed at three levels. At the local level, it was presented as a real proposal to leave direct hydrocarbon extraction aside and to direct attention to local economic proposals and communities' cultural resources; at the national level, it was a proposal to transform the energy matrix to a post-petroleum era, including production schemes and the generation of specific policies that could be replicated in other countries; and at the global level, the debate centered on justice, given the innumerable years of dispossession of peoples and the contamination of their territories due to oil exploitation. The possibility of transforming the global petroleum model, the cause of wars and based in a patriarchal culture that mainly violates nature, diverse peoples, and women, was opened up.

However, at the same time, the petroleum advance guards continued negotiating inside the government, while the showy media discourse was maintained, all in the name of development.

The debate about whether or not to leave the oil underground, representing two radically different points of view, continued. The petroleum lobby kept up its lobby, undertaking public events and fairs, and in the year 2013, even realizing the XI Round of Petroleum bidding. At this time the government of Ecuador put the exploitation of the central-south part of the Ecuadorean Amazon up for consideration, a territory that was at the time free of oil exploitation.

At the same time, in several events where the urgency to leave the oil underground in the Yasuní was being discussed, individual representatives or ex-employees of oil companies showed up, arguing the need for oil for the manufacture of goods, combustibles, and industries in general, thereby attempting to close down reflections and the call to transform the current model that the discussions around the Yasuní proposal

were generating. The debate happened in this way in public spaces, although in an aggressive manner by those who defended oil exploitation.

The discussion was likewise taken up by the government at different moments, promoting plan B from the beginning; later the first negotiating team for the Yasuní ITT bond was pulled out, accused of not doing the work as planned. The person who ended up being named director of the negotiating team was a woman, Ivonne Baki, who had no prior experience in environmental work, and less as an ecologist, and who was clearly a business woman, remembered, among other things, for the organization of the 2004 Miss Universe contest in Ecuador.

The Yasuní ITT Initiative increasingly became a possibility for climate business deals, further and further removed from the initial idea of leaving the petroleum underground, an idea intent on real transformation of the system causing the environmental crisis, and of market logic.

Questioning of the treatment of this Initiative was bolstering discontent within society; the positioning of the importance of the Yasuní, based on its biodiversity and the peoples who inhabited it, continued to strengthen, and had the support of a relatively high percentage of the national population. In addition, backing from the international community increased exponentially and the Initiative continued to cross borders.

The government knew that authorizing oil exploitation in the Yasuní would carry a high political cost, so during the last three years of the Initiative's existence, it sent robust media messages announcing the possibility of petroleum exploration in the case that there was not enough money to leave exploitation aside. As mentioned previously, the main success of the Initiative consisted in receiving sufficient money to change to a post-petroleum matrix, an amount representing half the profits in the case that petroleum were exploited in the territory.

During this time, those of us who were sustaining the defense of the Yasuní were able to strengthen our information campaigns about the need to continue the Yasuní ITT Initiative, despite doubts generated by the government and its practices in relation to the proposal. Strategically, this allowed us to continue mobi-

lizing the ideals of moving Ecuador towards being a post-petroleum country and many more people became involved in this great proposal.

THE CONTRADICTION BETWEEN ECUADOR'S CONSTITUTION AND THE ECONOMIC MODEL

As mentioned earlier, the Ecuadorean Constitution, created in 2008, presented a series of advances in terms of rights, considered to be unique at the global level, and among which the rights of nature are to be found.

Considering nature as a subject of rights, implied advances in terms of legal possibilities for transforming society-nature relationships and market-nature relationships, to the point of situating nature and her cycles in decision-making as a possibility. At least in theory, this would be the common understanding of legislation with such characteristics.

However, since the creation of said Constitution, neither the rights of nature, nor of the Sumak Kawsay, nor of the Plurinational State have been a priority for the formulation of public policies, and even less so in the political practice of the current Ecuadorian government. Proof of this is the expansion of the extractivist model that clearly contradicts the afore-mentioned constitutional advances.

As a result, the following questions come to my mind: is it possible to move towards a Plurinational State if the culture of the Amazon peoples is disrespected when new oil blocks are opened up? In what way can the inauguration of large-scale mining in a non-mining country become congruent with the logic of the rights of nature? How is it possible to realize the Sumak Kawsay, incorporating its original world-view when a decision is taken to exploit the Yasuní, even in the face of massive rejection to this decision by Ecuadorian society and many people around the world?

Grandiose projects are those being implemented in the name of development, in the name of Holistic Living, confusing the original intentions of this world-view. A clear example is the so-called productive matrix that prioritizes large infrastructure projects for the construction of hydro-electric dams, the project of the



oil refinery on the Pacific, the super highways that connect the routes for resource extraction, among other mega projects.

For many people, the delivery of such public works, supported by profits from high oil prices, symbolized payment of the historic debt of years of abandonment by previous governments. However, looking more deeply, what has been constructed in Ecuador in these past years has been at the cost of huge environmental and social destruction, and a high level of debt, especially with China.

FEMINIST PERSPECTIVES ON OIL EXPLOITATION AND THE LINK WITH POST-PETROLEUM STRUGGLES

One of the most worrying elements about this extractivist onslaught, highlighted symbolically by the declaration of exploitation of the Yasuní ITT, is the strengthening of political, social, and cultural practices promoted to pave the way for the extraction of natural resources in the territories, and of the normalization of the extractivist model in society in general.

Following on this, the Yasuní case allows us to observe how a proposal of such amazing impact, highly

internationalized and in conjunction with local commitment, expanded to the national level, and with broad social support, could be defeated by reaffirming the fossil fuel model, one of the main causes of the current climate crisis.

The opposition, dissident force, disowning the petroleum model, made itself visible with the Yasuní case. The coming alive of sensibility regarding the need for a paradigm shift brought together hundreds of people from diverse sectors, and especially young people rebelling against the continuation of the petroleum formula for shaping the world.

The very same day- August 15, 2015- that President Rafael Correa declared exploitation of the Yasuní ITT, public mobilization created spaces of social protest in the streets that lasted for several weeks. It was an important moment that generated broad social mobilization, since the defense of the Yasuní and all that was involved, achieved the convergence of new social actors, organized and non-organized, young people, artists, vegans, musicians, and students, among others, and where, we as women's organizations and feminist collectives also converged. Several of the traditional logics of social struggle changed; we came together in the defense of biodiversity and peoples, we were not following placards or



leaders; new slogans of struggle were amplified, those focusing on the defense of the fountains of life, of other forms of existence, not based in oil.

For feminists involved in political practices associated with the defense of nature, territory, and the body, the struggle of the Yasuní was an inspiration to deepen reflection on the need to situate Life at the center, an eco-feminist proposal initiated by other feminists from southern Europe and which is clearly associated with the struggles for the defense of land, generated in Latin American and India.

The defense of the Yasuní, with its proposal to leave petroleum in the ground and place Life at the center⁶, takes on greater meaning, since what is implied is to

situate Life in its essential place. It also implies that social practices be re-routed or that they recover their channels so they are useful in the social reproduction of life from the perspective of shared responsibility between men and women. To leave petroleum in its place, that is underground, would imply no longer generating social, political, economic, and cultural practices in direct, and sometimes unique relationships with the petroleum industry, centered, as it is, in the domination of territory, peoples' work, the exploitation of labor, especially that of women, and the use of violence, among other practices, in order to be successful. In this reflection, it is necessary to remember the patriarchal logic on which this model is built in relation to territory and the people who live therein.

As feminists, we have gone further. To place Life at the center and petroleum underground

⁶ These reflections are more fully developed in the book, "La Vida en el centro y el crudo bajo tierra, el Yasuní en Clave", (Life at the Center and Petroleum Underground, Yasuní is the Code), produced by the collective, "Miradas Críticas del Territorio desde el feminismo" (Critical Approaches to Territory from a Feminist Perspective) and can be found in digital form in the following link: [feministahttps://miradascriticadeltorrioriodesdeelfeminismo.files.wordpress.com/2014/05/yasunienclavefeminista.pdf](https://miradascriticadeltorrioriodesdeelfeminismo.files.wordpress.com/2014/05/yasunienclavefeminista.pdf)

implies leaving aside the capitalist economic model, hungry for petroleum, and radically transforming how we understand the world.

As the feminist, Amaia Pérez Orozco says,⁷ this means people cannot talk about placing Life at the center if: - violence against women and nature still exists; patriarchy, which is the political and social model that assumes the right to decide the life one wants to live, continues to dominate. This also implies consideration of our maternity, or the right to decide not to be mothers as an option, or because living conditions in the territories are not adequate for leading “livable lives”.

Placing Life at the center implies, for feminists, a transformation in the way bodies are situated as emancipated territories within the territory, earth; in their relationship with other beings of nature.

This also implies defense of diversity, of the diversity of the different forms of life that the earth produces, the diversity of the lives that people opt for or construct, as long as these lives do not cause harm to others, and do not threaten, deny, or annul the autonomy of individuals and distinct peoples.

From a feminist perspective, generating resistance and ideas based on the defense of the Yasuní has helped us to more profoundly understand how patriarchy operates in the petroleum world. The spaces of negotiation in this world are highly patriarchal spaces of capitalist power, given the character of the actors involved and their economic vision of power and domination about nature and the people who inhabit the territories.

These are spaces where political-economic relations are established, based on decisions about cost-benefit

analysis of the petroleum activity, and which attempt to eliminate any obstacle that gets in the way of these interests. This is the way negotiations with the governments of each country take place, guaranteeing the implementation of national and local policies that favor the petroleum industry, constructing a series of needs and dependencies. In this regard, the petroleum business starts with a logic which is, at the same time, racist, evident in countries like Ecuador where the greatest concentration of petroleum is to be found in the Amazon region, inhabited by peoples who have been obliged to subordinate themselves to the petroleum activity using different strategies. However, they have also resisted their advance or have accepted their entry.

When the priority for the Ecuadorean State is concentrated in petroleum exploitation, a plan for moving into the territories is required. In some cases, negation by certain communities opposed to the arrival of the petroleum companies is implied, so that spaces for advocacy in the community, negotiating, convincing, and in the end, forcing, need to be opened up. Generally, from what has been seen during these processes, the negotiation takes place directly with the community leaders who, for the most part, are men; or the negotiations are undertaken basically with the men of the community. This is the result of community logics that for the most part respond to patriarchal logics based on gender roles, or because cultural practices have established other ways of decision-making where the men are the ones who lead in territorial negotiations. In addition, as indigenous women from the Amazon have told us, the men are the ones that seek out and have greater access to paid work, especially in the petroleum business, which basically requires a masculine workforce, while the women take charge of caring or economic reproductive tasks for the companies. This means that the men are first in line in petroleum negotiations and end up accepting the entry of the companies and the State.

From the time of the Ecuadorean Constitution in 2008, a mechanism of territorial advocacy called Free and Informed Prior Consultation was established, a mechanism, which like others, should serve to stren-

⁷ Amaia Pérez Orozco is a Spanish woman, feminist economist, academic, and also an eco-feminist thinker.

gthen communities' capacity for autonomous decision-making. However, the practice has turned into a procedure that facilitates the direct entrance of the petroleum companies, as has been denounced by some community members⁸.

Although the decision of certain communities may be to allow the entry of petroleum companies, the information that is socialized represents absolutely and exclusively the position of the industry. This is the way the media and political strategy has been constructed so that petroleum activities win out over any other possibility of non-petroleum activity in the territories. In conclusion, decision-making ends up being part of masculine negotiating and is legitimated by the discourse promoted by the government in power, relying on this exploitation as the only way of generating resources for the country.

It is also a fact, and this is a constant in any activity requiring direct intervention for resource extraction, that strong armed contingents, referring to the Armed Forces, will be present. They consistently accompany these activities, responding as they do to patriarchal patterns of territorial control, prepared to use violence when required. The Armed Forces are basically composed of men trained to control territories and peoples' bodies, in a differentiated manner for men and for women. These are spaces where the pedagogy of domination and territorial and corporal control are established and consolidated, based on the use of direct or symbolic violence.

A further example of the patriarchal construction of territory is the majority presence of male workers arriving from other areas to work in petroleum activities. This generates a series of demands that not only include basic housing and food needs, but also encourages or strengthens a chauvinist masculine culture where is it "necessary" to satisfy certain needs based in unequal gender roles and in rendering women more inferior by exploiting their sexuality, thereby generating an increase in unwanted pregnancies, single mo-

thers, and entertainment spaces for the sale of alcohol and prostitution.

By making the link between feminist reflection and the petroleum industry, the patriarchal nature of the latter becomes evident. In addition, patriarchal junctions among diverse institutions created by both States and companies to maintain a foothold in the territories and to ensure petroleum exploitation, can be identified. All of this propels feminist struggle to become more determinedly involved in the defense of territory as a necessary contribution for the liberation of land and bodies.

THE YASUNIDXS COLLECTIVE

While President Correa announced exploitation of the Yasuní, not only social mobilization in the streets became stronger, but also the intention to create another political moment of mobilization that would sustain its defense.

In one of the many meetings for constructing debates, reflections, and agreements generated in the varied spaces of mobilization, of organized and unorganized participants, with a high degree of youth participation and an important presence of people with a broad trajectory in the defense of nature and the Yasuní, such as "Acción Ecológica" (Ecological Action), a decision was taken to realize a popular consultation for the Yasuní.

It is important to underline that this proposal of popular consultation constituted a precedent in the country, where, for the first time, the use of a constitutional right to consult Ecuadorian society concerning a theme of national interest, was proposed.

This proposal gave birth to an organizational process that described itself as autonomous from any other, the basic characteristic of which would be to maintain the spirit that the defense of the Yasuní had generated, as well as the proposal to leave the petroleum in the ground. As a result, in October, 2013, the Yasunidxs Collective was formed, its main organizational characteristic being a collective of collectives, as well as of non-organized individuals. Its goal would be

⁸ Examples of what communities denounce concerning the procedures around the consultations can be found at: <http://www.accionecologica.org/petroleo/politic-as-petroleras/1740-la-consulta-inconsulta-english-subtitles>

mobilization with the clear objective of undertaking a national popular consultation, using the question:

“Are you in agreement that the Ecuadorean government leave the crude of the ITT, known as Block 43, indefinitely underground?” We had six months to collect signatures and around 500,000 were required, representing 5% of the electoral Roll in Ecuador.

This proposal unleashed important gatherings in the streets; volunteer brigades were organized to collect signatures, using different types of activities. And something extremely important happened; the struggle for this territory and all that it signifies became an exercise in direct democracy in terms of who decides and what is decided about such a transcendental topic.

The initiative was backed by Article 105 of the Ecuadorean Constitution which states: “Citizens in possession of political rights and who represent eight percent of the national electoral Roll can request that the Supreme Electoral Tribunal call for a popular consultation concerning themes of transcendental importance for the country, not involving constitutional reforms. The law will regulate the exercise of said right”. The goal was to collect enough signatures but also, and perhaps more important, was the direct and participatory dialogue that was emerging from the streets and in various sectors of the population. Streets turned into scenarios for dialogue involving music, theatre, and creativity for the construction of this dialogue.

In these spaces of confluence, feminists as well as other collectives became involved, and each space contributed with its reflections about the generation of advocacy during the signature-gathering process, and as we will see later, of advocacy for democracy. A new moment of social mobilization was created, a struggle that did not involve hierarchies and party flags, one which instead lifted up other meanings of life and the relationship between human beings and nature.

FROM THE DEFENSE OF THE YASUNÍ TO THE DEFENSE OF DEMOCRACY

The process of gathering signatures involved important moments of direct dialogue in the streets and significant national-level mobilization in order to reach the objective. Throughout, we believed that the most important part of this moment was the process itself, rather than the results. On several occasions forces thinned out since significant resources were required, as well as strong organization, something that came together along the way. However, there was uncertainty on many occasions regarding the final result.

Despite all, the moment arrived when we began to obtain the necessary number of signatures and we began to realize that the objective was achievable. However, with this situation,

the government fine-tuned its strategies for blocking the popular consultation. Besides strengthening its media campaign in defense of exploitation of the Yasuní, and moving quickly ahead inside the territory itself with infrastructure construction, it also generated perverse strategies to obstruct signature-gathering.

One strategy was to take advantage of links with several Amazon-area mayors to generate a parallel popular consultation in support of exploitation; another was the use of sophisticated mechanisms of investigation, intimidation, and criminalization of those of us who were sustaining the popular consultation⁹. This information fell into our hands due to the filtration of a report by National Police intelligence which portrayed our national networks as delinquent. In addition,

⁹ For further information, see the report by the Collective “Acción Psicosocial” (Psycho-Social Action) which gathers together all related actions: <https://accionpsicosocial.files.wordpress.com/2015/01/informe-psicosocial-en-el-caso-yasunidos.pdf>



cases of threats and persecution of the members of Yasunidxs were common during the signature-gathering, the intent being to paralyze the process. These are only some of the many other cases that can be reviewed in the afore-mentioned report.

Finally, on April 12, 2014, the Yasunidxs Collective descended on the National Electoral Council, CNE (for its initials in Spanish), to hand in the signatures, in the midst of hundreds of very happy people in a multitudinous march, laced with artistic expressions, and with the sole purpose of defending the Yasuní, life, water, biodiversity, and the last peoples in Ecuador living in voluntary isolation. To meet the requirements of the national popular consultation we needed about 500,000 signatures, representing 5% of the national electoral Roll; however, we had managed to collect 756,292 signatures and these were presented for the respective count and validation of each.

From the moment of delivery of the signatures from Ecuadorian society to the State- the passage from social power to State power- fraud began to appear. The signatures were moved by force to a military compound quite far away from the CNE, and restrictions for the entry of Yasunidxs were at a maximum. The

information we were given was insufficient. Besides, from previous experience, we knew that the informational counting system had serious deficiencies for the verification of signatures.

In the meantime, disqualifying remarks by President Rafael Correa, and even by the president of the CNE, increased. It was unheard of that in a country with such a comprehensive constitution and such a highly participative process such as the gathering of signatures, where the most important slogan was the defense of life and of peoples, that hundreds of promoters were being attacked by their own government. Finally, the CNE announced that it had been impossible to obtain the required number of signatures, something that could never be proven, given the lack of transparency during the entire process. The fraud was complete and the struggle for the defense of democracy was sharpened.

The streets once again became the scenario for defending the collected signatures; the “Democracy in Extinction” campaign was created; artistic protests were held outside the CNE; and legal processes were initiated, leading up to the Inter-American Human Rights Court. However, the media strategy and the bloc-

king of every social initiative related to this cause, plus the evident electoral fraud, meant that, morally, Ecuadorian society lost interest in the struggle. The lack of faith in the State itself drained the expectations of a large percentage of the population vis-à-vis possibilities for future action. To a certain extent, the government reached its objective in this specific time-frame.

WHAT CONTINUES WITH YASUNIDXS AND ANTI-EXTRACTIVE STRUGGLES IN ECUADOR

Ecuador was once again becoming a bidder country, offering up its natural resources. As well as the decision in favor of exploiting the Yasuní, there have been attempts at negotiations with petroleum companies in the central-south Amazon region, and for the first time, large-scale mining has been allowed, despite latent threats from years back and strong community resistance¹⁰. Besides, mega, hydro-electric projects are moving ahead- to this moment there are eight of this scope in this small country.

At the same time, criminalization and stigmatization of defenders of nature have become worse, generating episodes of persecution and threats against the leaders of these struggles. However, social mobilization continues to increase.

One of the characteristics of these mobilizations, in which the indigenous movement has been an important protagonist, is that the most important actions in terms of defense of territories are being promoted by women. This was demonstrated by the March of Amazon Women in October, 2013, two months after the declaration of exploitation of the Yasuní ITT, to reject Round XI of petroleum tenders.

This march, benefitting from the mobilizations in defense of the Yasuní, brought women from several corners of the Ecuadorian Amazon together, the final

objective being to arrive in Quito. Their demand was: "enough of petroleum exploitation in our territories; we want to live according to our culture; we love the Kawsay Sacha (Living Jungle)!" The women wanted to hand in their message directly to President Rafael Correa, something that never happened because he imposed conditions that were difficult for the women to comply with, such as meeting with them several kilometers away, in a millennium city, a model city of development constructed at the edges of the Napo River (province of Orellana), in a mockery of their demands.

This march was significant in allowing women's voices and the logic of their struggles in the defense of territory to be heard, as well as their struggles as women at the community level, since several of them said they were tired of others taking decisions about their lives, these "others" including the men of their communities.

During the encounters between women from the Amazon and urban areas¹¹, the questioning of patriarchal political practices at the level of the State was strengthened, but also at the local level in urban communities, the Amazon, and other territories.

Since then, dialogue between Amazon women and a section of the feminist movement has intensified, and despite their differences, these approaches are increasingly more important, so that constructing broader and more permanent spaces for dialogue becomes a priority.

The deepening of the extractivist model is taking giant leaps forward in Ecuador, alongside social struggle, despite government criminalization and stigmatization. Yasunidxs continues to maintain its struggle in association with other territories where there is opposition to extractive projects, but Yasuní is not lost from

¹⁰ See the case of the Intag Valley, a territory in the province of Imbabura that for fifteen years has been involved in anti-mining resistance and which, during the last few years, has finally had to deal with the entry of the National Mining Company, ENAMI (for its initials in Spanish).

¹¹ Interviews with these women can be revised in: <https://miradascriticadeltorioriodesdefeminismo.files.wordpress.com/2014/05/yasunienclavefeminista.pdf>

view, and with even more reason, nor the peoples in voluntary isolation, since the threat for them is more latent every day.

Currently, links with other collectives have been forged and networks are being strengthened, even at the international level in order to have the greatest impact possible, given climate change threats. The path is difficult, but Yasunids, as well as all the spaces that were generated in the struggle of the Yasuní, continues to exist and struggle in a diversity of ways. The objective is to defend biodiversity, peoples living in voluntary isolation, and other forms of life, all of which can profoundly transform the relationship between human beings and nature. However, as we see it, this is only possible without capitalism and without patriarchy.





**PARTICIPATION OF PEASANT
INDIGENOUS WOMEN
IN CONTEXTS OF ENVIRONMENTAL
VIOLENCE IN BOLIVIA**



PARTICIPATION OF PEASANT INDIGENOUS WOMEN IN CONTEXTS OF ENVIRONMENTAL VIOLENCE IN BOLIVIA

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INTRODUCTION

This article address the issue of environmental violence against women from the perspective of their political participation in local-level decision-making. For this purpose, reference is made to Andean communities in the western part of Bolivia; in the department of Oruro: El Choro, Ralenga, Sora, Totoral, Marca Totorá; in the department of La Paz: Coro Coro; and in the department of Potosí: Mallku Khota, Panacachi, Vitichi, Chichas and Uyuni.

An average altitude of 3500 meters above sea level and low precipitation are characteristics of this area; the principal economic activities are agriculture and livestock-raising, which, for the most part, do not rely on technical systems of irrigation. Rich mineral deposits are to be found in the areas mentioned, and for this reason, mining exploitation has existed since colonial times, minerals being extracted from deep underground galleries.

In 1982, open-pit mining began, using extremely high quantities of water and reactive chemicals such as cyanide. Under similar circumstances, exploitation by gallery with so-called “high-end technology” was also initiated. Currently, tin, lead, silver, zinc, and in

some cases, gold are being extracted. The companies with a presence in the area are for the most part transnationals, like Inti Raymi, previously a subsidiary of Newmont from the USA, and Sinchi Wayra-Illapa, subsidiary of the Swiss Glencore³.

The State has played an important role in propagating the extractivist model, establishing the need to exploit strategic natural resources (minerals and hydrocarbons) as a priority for national economic policy. The promotion of this model is reflected, for example, in the new Law on Mining which ensures flexibility of legal and judicial requirements for granting mineral rights to companies.

The extension of extractivist mining has caused environmental devastation, submitting entire populations to contamination and disappearance of their water sources, affecting crop lands, and at the same time generating serious health impacts in people and animals, among other affectations.

The social and environmental consequences of extractive mining on women’s living conditions only worsen and deepen patriarchal relationships within communities, and consequently, affect three aspects of women’s subordination: social class, ethnic origin, and

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³ The Canadian companies Castillan Resources and South American Silver have tried to establish a presence in other regions. At the same time, the Bolivian State has a presence in other regions through the State-owned Bolivian Mining Corporation (COMIBOL, for its Spanish acronym), which has several concessions. Finally, in some cases, mining coops also have concessions.

gender. These three categories reinforce each other to generate situations of environmental violence against women, understanding environmental violence⁴ to be any action or omission which, in causing damage to the environment, restricts or limits women's exercise of their rights, in relation to their patrimony, economy, work, and health.

When their environmental surroundings are negatively affected, due to contamination or the disappearance of water sources, women are obliged to fall back on all types of strategies to ensure the survival of their families. Given this type of violence, women have developed interesting organizational processes of struggle, defense and resistance.

Among these, one of the most important is the formation of the National Network of Women Defenders of Mother Earth (RENAMAT) in October, 2013. It is an articulation of quechua and aymara native indigenous women, peasant women, and "regantes" (organizations that have technical irrigation systems). By organizing a national summit of women, with the support of the CASA Collective, this Network managed to unify women from different communities in the departments of La Paz, Oruro, and Potosí whose territories and living conditions have been impacted by mining.

This Women's Network brings together 12 communities from three departments (Oruro, La Paz, and Potosí); it operates with a coordinating team of 15 women, while assemblies are the maximum decision-making spaces. Women of RENAMAT become members based on autonomous decisions or through their community leaders. Activities are coordinated by the women leaders elected by each community and also through agrarian unions or their native authorities.

The women work collectively to encounter solutions to environmental conflicts in their territories. At the same time, by weaving points of convergence to promote action and solidarity, they

are building processes of resistance and transformation in the face of patriarchal and capitalist oppression.

The CASA Collective contributes to debates and provides analysis, legal services, and technical support to communities undergoing environmental conflicts.

One very important area of work for the Collective has been training for the exercise of women's social and environmental rights, and as such, the "School of Environmental Conflicts and the Exercise of Collective Rights and Gender Justice" was initiated in 2013. It was designed to strengthen women's capacities, and it later gave rise to RENAMAT.

Later, a published research project entitled: "Mining with an M for Machismo and Mother Earth with an M for Women" ("mujer" in Spanish) identified the impacts of mining activities on women's living conditions. Recently, the publication, "Land, our Mother; Water, our Milk", was launched, reflecting the defense of mother earth and water as a strategy of struggle against environmental violence directed at women.

Women who belong to RENAMAT see how their rights from three broad dimensions are being affected—from economic, cultural and political perspective. In the last case, it must be recognized that, in Bolivian Andean communities, conditions are not conducive for women's participation in local political spaces. Decision-making related to social-environmental issues takes place in male-centered and androcentric environments where it is the men who speak out, decide, and negotiate.

In this context, the logic of extractive mining and the resulting negative repercussions worsen women's subordination in their very places of origin, condemning them to greater social and economic inequality, vis-à-vis men. For these reasons, we believed it was vital for us to take on the issue of environmental violence, and in general, extractive activity, from the perspective of native and peasant women.

⁴ Definition elaborated by the National Network of Women Defenders of Mother Earth.

PARTICIPATION BY INDIGENOUS AND PEASANT WOMEN IN SOCIAL- ENVIRONMENTAL CONFLICTS CAUSED BY EXTRACTIVE MINING: DIFFERENTIATED IMPACTS AND RESISTANCE



We understand social-environmental conflicts to involve confrontation or dispute in asymmetric conditions, among two or more actors or social groups, in relation to the prevention, resolution, or mitigation of an environmental problem. A social-environmental conflict begins when the men and women being affected undertake actions to avoid environmental damage or to achieve its reparation.

It is important to understand that the environmental impacts from mining affect women in a differentiated and more intense manner. Their direct relationship with natural resources exposes them to health risks, affects gender relations that have developed historically, and represents a work overload in their daily lives. They must confront this violence that affects their health, since it is they who undertake the daily tasks that oblige them to be in direct contact with contaminated environments.

When it comes to water sources, we see women washing their clothes and that of their families in

contaminated rivers, thereby putting themselves and others at risk of skin irritations.

Besides, they must travel greater distances to fetch water for their homes since the closer sources are not apt for human consumption. In addition, due to negative impacts on their productive agriculture and livestock activities, caused by soil and water deterioration, women must take on extra tasks to obtain the necessary income to maintain their families.

In several instances, contamination and the dispossession of their natural goods have forced women and their communities to migrate, in precarious conditions, to other locales. This means they are uprooted from their territories, affecting traditional ways of life.

Extractive activities have brought greater insecurity, alcoholism, and precariousness of families' economic conditions. This, in turn, generates internal family tensions and increases intra-family violence. At the same time, sexual violence exercised by mine workers, external to the community, has become a continuous threat to their human integrality.

Faced with this context, in which gender-based violence is continually on the increase, women have seen that not only their individual, but also their collective rights as native peoples, have been violated. Given this situation, several women have prioritized the defense of these latter rights, even to the point of sacrificing some of their specific demands as women⁵.

In contexts of conflict between mining projects and communities, directly or indirectly affected by their presence, processes of mobilization, struggle, and resistance have resulted. Within these processes, a variety of activities have been implemented, ranging from meetings with national authorities to legal ac-

⁵ This occurs at the level of base organizations and takes place in practice; in the deliberation or assemblies, such actions can be understood as a strategy for moving ahead.

tions accompanied by acts of pressure such as sit-ins, marches, vigils, and road-blocks, among others. Women have involved themselves in these actions, responding to their community organizations, peasant unions, or native authorities.

During these processes, the role of women has not been passive; quite the contrary, they have actively participated in different moments of the conflict. In many instances, they have been the ones leading the mobilizations, and above all, guaranteeing the logistics and the necessary caring actions so activities can continue. In this light, we affirm that, due to their resistance and perseverance, women sustain the demands of their organizations and communities. In addition, and without losing perspective of the objective of the mobilization, they monitor leaders, that is, they undertake political and social control of their native authorities to ensure compliance with demands agreed to in communal assemblies.

Within their families and communities, women weave perspectives for the defense of life, revealing their particular vision of the havoc caused by extractive activity. Through their participation in anti-mining resistance, women have managed to get their opinions listened to and taken into account in their families, thereby transforming the way power relations are exercised.

For example, in the community of Challapata, in the province of Eduardo Abaroa, department of Oruro, the community has been involved in processes of resistance against mining activities for more than 20 years. This resistance has been directed against the gold-extraction project, Achachucani, in a mountain of the same name, the prospecting of which began with the Bolivian-Canadian consortium, EMUSA-Orvana, in 1993, and later operated by the Castillan Resource company.

The struggle of the communities paid off when the government of Evo Morales declared Challapata to be the “agricultural, livestock, and industrial capital of western Bolivia” (CASA Collective, 2013).

Reaffirming its 2003 declaration, the government established a milk producing plant, “Lácteos B”, in January, 2011. However, the feasibility of granting licenses to mining companies was left open. This very

same year, the company undertook a media campaign to re-instate activities in the area, but faced with this situation, communities mobilized and were successful in achieving a municipal ordinance prohibiting exploitation of the Achachucani mountain⁶.

From the beginning, the main objective of this struggle has been the defense of the productive, agro, and livestock vocation of the land, incompatible, obviously, with gold exploitation. Women from these communities have chosen to be at the forefront of each mobilization, march, and sit-in, considering their involvement to be an effective resistance strategy. By being at the front of the marches in order to confront police repression, women insist they will be attacked less because they are women, and in this way, can defend their people and be protagonists in the mobilization.

However, such actions (which are repeated in several socio-environmental conflicts in the country) expose women to high-risk situations in which their physical, psychological, and in some cases, even their sexual integrity, is compromised. This was the case in Mallku Kota. In a parallel vein, this type of sacrifice is not reflected in adequate social valorization by the community, since in the collective imaginary, it is usually understood that such actions are just one more obligation for women, another task among the many that already exist. When the mobilization process is over, it is the male representatives of the communities who sit down at the negotiating table and are the ones to take the most important decisions about the outcome of the conflict.

Little by little, and thanks to a process of collective construction promoted by the women and RENAMAT, this situation has begun to revert, as communities understand that the rights of

⁶ Currently, the communities do not allow the initiation of mining activities. The Company was expelled on three occasions; however, after the first expulsion in the area, it continued with clandestine exploration of the deposit, resulting in 80% exploration.



mother earth can only be exercised if women's voices are also heard.

RIGHTS OF INDIGENOUS WOMEN IN DECISION-MAKING SPACES

In the communities we have been referring to, decision-making spaces differ, according to ethnic origins and historic transformations, as well as to the incorporation of agrarian unions superimposed on traditional communities. Although such spaces are ancestral, they have a degree of formality and official recognition.

Up to now, it can be said that the participation of women in organizations, communities, and ayllus⁷; in local and indigenous leadership; in administrative positions; and as members of assemblies or as councilors, is accepted, at least, in the discourse of the leaders. That is to say, symbolically, it is considered acceptable that women be present in such spaces. However, in reality, the practice is something else: decision-making takes place within male-centered, androcentric dynamics where men have the last word and decide.

⁷ The ayllu is the system of social, economic, and political organization of the indigenous peoples.

In indigenous communities, the practice of relegating women to domestic spaces persists. It is believed that her condition as a woman naturalizes her obligation to undertake tasks in the kitchen, of hygiene, and other activities aimed at sustaining life. Despite the fact that native indigenous peoples recognize Chacha-Warmi parity⁸, that is to say that the man elected on a rotating basis (mallku or jilakata) exercises his functions accompanied by his wife (mama t'alla), in reality, it is the man whose words and deeds are considered legitimate and to have value, while the woman should limit herself to supporting him. For this reason, in deliberative processes, it is infrequent for women to express their own opinions. From this, it is understood that discrimination and inequality arise not only from environmental violence, but also from practices and customs that similarly limit women's real participation.

In the national context, relationships of subordination, discrimination, and marginalization of indigenous women and her people continue to be routine. One clear example is the limitation placed on the exercise of the right to free and informed Prior Consultation. In Bolivia, the right to Prior Consultation by native peoples has been recognized since July 11, 1991 when

⁸ Chacha Warmi, a quechua word meaning chacha-man and warmi- mujer is a principle of indigenous organization.

Law of the Republic No. 1257 was approved, ratifying Convention No. 169 of the International Labor Organization (ILO). The current Political Constitution of the Bolivian State, enacted in February, 2009, incorporates the principles of Convention 169 related to Prior Consultation and integrates them as components of the rights of nations and rural native indigenous peoples. At the same time, in the chapter referring to the environment and natural resources, in these two themes, the right to Consultation is extended to non-indigenous populations⁹.

Limited interpretation, as well as the lack of acknowledgement of the main elements and characteristics of Prior Consultation, have generated distorted applications which deny effective guarantees of this right.

For example, in the case of the Amayapampa living in the northern part of the department of Potosí, the native Ayllus demanded in July, 2009, that prior consultation be undertaken before allowing initiation of gold exploitation in their territory. In response to this demand, the Ministry of Mining and Metallurgy tried to impose a process called "Consultation in times of democracy" which consisted of the application of surveys with questions about the benefits of mining. This process was rejected by the Ayllus and the communities, and as a result there were tense moments of conflict (CASA Collective, 2010).

Another maneuver, widely used by transnational companies to distort the right to Prior Consultation, is to 'confuse' it with so-called "Public Consultation", established by the Law on the Environment and its subsequent regulations. This mechanism is limited to informational meetings for the affected population, organized by the mine operator, and since it is under

the control of the operator, becomes a mechanism of division and cooptation.

Generally speaking, in these agreements between mining companies and communities, only the men participate and they negotiate beneficial work contracts for themselves. The positions of women, warning about the consequences for their lives and claiming the right to care for water, agriculture, or livestock are relegated to the margins. Among many other situations where this occurred, we mention the community of Huanuni, in Antequera; and the communities of Poopó or in San Cristobal.

Contradicting what is enshrined in the Plurinational Constitution of Bolivia, a colonial mentality of exclusion and imposition continues to underpin State policies in relation to indigenous peoples. This was reaffirmed in declarations by President Evo Morales this past month of July, 2015 when he proclaimed that "consultations are a waste of time". He even affirmed that "(...) some of our brothers, on the pretext of prior consultation, or some license, only want to get money out of us"¹⁰. The greatest concern is that such positions are being incorporated into laws. For example, the Law on Mining¹¹, approved in May, 2014, incorporates a simulation of Prior Consultation in reference to mining concerns. However, it contravenes Covenant 169 of the ILO, since its goal is to reach 'agreements' in order to move ahead with requests to underwrite administrative mining contracts. It does not stipulate the obligation to reach prior, free, and informed consent. The orientation is to organize only three meetings and if agreements are not reached, the final decision remains in the hands of the Ministry of Mining.

Given this panorama, women, along with their representative organizations, realized summit meetings¹² in rejection of the proposed Law on Mining,

9 In reference to consultation extended to the rest of the population, see Title II Environment, Natural Resources, Land and Territory. First chapter, articles 343 and following; and the second chapter, natural resources, Art. 352 and following.

10 EVO: CONSULTATIONS WITH INDIGENOUS PEOPLES ARE A WASTE OF TIME AND MONEY". Center for the Study of Labor and Agrarian Development. See: <http://zhnavkp.plataformaenergetica.org/content/3081>

11 The Law on Mining and Metallurgy 535 enacted in May, 2014. This Law was elaborated by mining concerns. During its construction, no spaces for dialogue with society were opened up, despite innumerable requests and observations.

12 For more information, see: Resolution of the Social Summit regarding the proposed Law on Mining realized on May 8 and 9, 2014. http://www.colectivocasa.org.bo/index.php?option=com_k2&view=item&id=175:resoluciones-de-la-cumbre-so-



putting forth their positions in the midst of marches and road-blocks. In addition, they met with national authorities at the Ministry of Mining and Metallurgy, the Ministry of Justice, and the Ministry of the Environment to demand the debate be opened up to social organizations for the construction of the Law on Mining. However, the Law was passed without social participation; it was a Law developed by the mining sector to respond to their interests. Currently, resistance is continuing in the territories.

WEAVING LINKS OF ACTION AND SOLIDARITY

Given social and environmental injustice experienced in the communities as a result of environmental violence exercised by extractive mining interests and historic discrimination, indigenous, peasant, “regante” (related to irrigation), and fisher women, working together in the National Network of Women for the Defense of

Mother Earth, are taking action at different levels, including: advocacy with local and national authorities with the goal of having their specific demands taken into account; as well as formation and training, mutual support, and solidarity among women of different communities. In this way, the Network has been able to actively participate in the elaboration of public policies.

One clear proposal put forward by the women of RENAMAT is that, in processes of free and informed Prior Consultation, mechanisms be elaborated to guarantee their effective participation, taking into account that all mining activity generates differentiated impacts in women. This demand is an initiative that is being worked on so that it can be discussed inside the communities and socialized later with local authorities, with all the men of the population, and finally, at the national level

Women participating in the Network have an unnegotiable position of absolute rejection of the establishment of extractive projects near or within agriculture and livestock communities or in watershed basins. As a consequence, they support resistance to imminent

[cial-sobre-proyecto-de-ley-minera and http://www.somossur.net/economia/mineria-en-bolivia/1386-cumbre-nacional-rechaza-el-proyecto-de-ley-de-mineria.html](http://www.somossur.net/economia/mineria-en-bolivia/1386-cumbre-nacional-rechaza-el-proyecto-de-ley-de-mineria.html)

conflicts, and where there is a threat of projects, they sensitize communities about the irreversible impacts that would result. However, there are also cases of populations belonging to historic mining districts that have functioned as such since colonial times, places where devastating impacts have become even worse during the last few years. In these cases, women are demanding that the impact of mining on women's living conditions be taken into account in the elaboration of studies, manifestos, and environmental licenses presented by mining companies.

This contributes to developing a perspective which is sensitive to gender-differentiated impacts and to constructing mechanisms for their reduction. And furthermore, this proposal focuses on setting the scene for a debate on whether or not mining in these regions should be allowed and what the environmental and social costs would be.

These two issues, related to women's participation in local public spaces, are demands from RENAMAT. However, they are topics of recent discussion since the work of the Network only began a couple of years ago. The Collective for the Coordination of Social-Environmental Interventions- CASA Collective- has been working on the issue of social-environmental impacts on the lives of indigenous- peasant women, and in favor of the full exercise of their rights. Up to now, there have been advances in deepening the debate regarding women's rights in contexts of environmental violence, and in the consolidation of articulated solidarity networks among women, distant geographically, but united by the aggression exercised against collective territory and the territory of the body.

On the other hand, leadership capacity, follow-up, and support for cases of dispossession of water resources and forced migration due to environmental devastation, have been strengthened. In order to make our work more visible and to promote women's advocacy, we have developed publications on the terrible environmental impacts of extractive projects. These are socialized with women and men from the communities, with local, regional, and national authorities, and in society generally.

So that full participation by indigenous women and just recognition of their work in the defense of territory exist, patriarchal relationships of domination and imposition have to be transformed, starting with the family and the communal level, and including public policy spheres. The struggle for the exercise of women's rights to prevent and eradicate environmental violence against women must continue from each and every trench.

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**REVOLUTION ASSUMES THE FACE OF
WOMEN FROM LATIN AMERICA**
STRUGGLES OF THE MOTHERS OF ITUZAINGÓ
AGAINST ENVIRONMENTAL CONTAMINATION
BY MONSANTO IN CÓRDOBA, ARGENTINA



REVOLUTION ASSUMES THE FACE OF WOMEN FROM LATIN AMERICA

STRUGGLES OF THE MOTHERS OF ITUZAINGÓ AGAINST ENVIRONMENTAL CONTAMINATION BY MONSANTO IN CÓRDOBA, ARGENTINA

SOFÍA GATICA

MOTHERS OF ITUZAINGÓ- FOUNDING GROUP

PROVINCE OF CÓRDOBA, ARGENTINA

My name is Sofía Gatica. I live in the Ituzaingó Annex Neighborhood in the province of Córdoba, Argentina. In the following pages, I want to narrate the struggles that we, as the Mothers of Ituzaingó, have undertaken from the decade of the 2000s, in defense of our right to life, health, and a healthy and dignified environment, free from contamination by agro toxins. First of all, in our neighborhood we denounced contamination and serious illnesses caused by fumigations of soy mono-crops, and later in the locality of Malvinas Argentinas, we prevented the construction of Monsanto's seed processing plant, the largest in Latin America. Up to now, 2015, we have continued insisting on the realization of a popular consultation in Malvinas Argentinas with the goal of definitively expelling Monsanto from our province and country.

Argentina has been a large-scale producer of soy since the 70's. However, it was in the mid 90's that production increased dramatically due to implementation of the genetically modified soy RR seed. This seed, promoted by Monsanto, had to be sewn in monocrops and accompanied by their 'technological package', including fumigation with glyphosate, produced by the same company. The model meant farmers became completely dependent on large transnational seedbeds and that hundreds of thousands of small and medium-sized agricultural units disappeared.¹

Currently, genetically-modified soy occupies more than half the land dedicated to agriculture in the country, the provinces of Buenos Aires, Córdoba, and Santa Fe being the ones with the largest extensions under cultivation. Argentina is the main worldwide exporter of soy flour and other sub-products to European coun-

tries for feeding cattle. To maintain this model, 200 million liters of glyphosate are required, sprayed onto the crops, causing terrible impacts on the environment and on human health.

BEGINNINGS OF THE STRUGGLE

The province of Córdoba lies at the center of my country. There are more than 3,308,000 inhabitants, and after Greater Buenos Aires, it is the second most populated province in Argentina. In the city of Córdoba, the Ituzaingó neighborhood is the largest in the periphery of the southeast part with nearly 4,000 habitants.

In 2001, we began to see that something was very wrong in our Ituzaingó neighborhood. We got used to seeing ourselves sick. Our neighbors were falling ill and the causes were not clear. When I went to the store, I saw boys with chin straps while women walking by my house had scarves over their heads. At first, I did not understand why, so I asked and was told: "they have cancer and no hair because of chemotherapy".

¹ TEUBAL, Miguel. "Expansión de la soja transgénica en la Argentina" (Expansion of Genetically-Modified Soy in Argentina. Available at: <http://www.vocesnenelfenix.com/content/expansi%C3%B3n-de-la-soja-transg%C3%A9nica-en-la-argentina>

I saw something in common in them: although they smiled, they had that far-away, unfocused look.

My situation was similar. I felt very sad and angry because I could not assimilate the death of my daughter (my daughter.....when I mention her, I cannot write because my eyes fill with tears; I have to wait for a while before continuing to write). Her name was Nandy Sofia. I was waiting for her; she arrived and left. I knew that she would be born with kidney malformation – the doctor had told me that- they realized this because she retained a lot of liquid in her stomach. He also told me that she would live and that it would be necessary to operate.

The day I broke water I was taken to hospital. They interned me and I gave birth to an almost three-kilo baby girl. Now I see that she was small in comparison to my other children who were born weighing something over four kilos. The truth is I waited for her in the room and she never arrived. I asked the nurse who told me she was in an incubator, and meanwhile I watched other babies being brought to their mothers. I was hurting because I did not have her with me, and many hours went by. Then I saw them bringing her to me in a worn out, old baby blanket. I extended my arms, the nurse extended hers, and placed the baby on my chest, and said: “take her, she is still warm, but she is dead”. I didn’t know what to do, and I began to cry. She was not loved, she was not loved, she was not loved...dead! I remember this day and I can’t keep back the tears because they killed my daughter. I began to yell, I pulled out the intravenous, many people arrived, and one of them said to me: “calm down, you are young, you can have other children...”.

Finally, they took away my daughter; I threw a bench at the window and broke it, I felt crazy. Several doctors tied me hand and foot to the stretcher and began to inject me with I don’t know what. I only know that I fell asleep. When I woke up, I was in a room with another woman. I asked where her baby was and she said: “he died”.

I had her baby clothes with me but her cot was empty. My husband arrived with diapers, came in, and said: “where is Nandy?” I looked at him and said: “I don’t know, I think she died...or was I dreaming? Doc-

tors arrived today asking me if I wanted to donate her corps for medical experiments and to analyze cause of death”. My husband looked at me and hurried out. Below at the entrance, they had not warned him. He returned later and we cried together the entire day. The following day we were told to retire our daughter from the morgue to bury her. My husband took white clothes for her. I went to see her, she was very white, blond, and precious. In the afternoon, they put me in a car. I carried my daughter in a small white box on my lap to be buried. We buried her. I have never been able to forget her.

Then I realized something: what was happening in my neighborhood was not normal and I began to observe with intense uneasiness that many mothers on my street were going through the same thing. The scourge increased day by day. Susana, Marcela, her sister, Veronica, Vanesa, etc. Something was killing our children.

So I decided to take the issue into my hands and I started a survey to see what was making my people sick. When I went to Susana’s home, she told me she had lost her son, as well as several pregnancies, and that her daughter had been born with a malformation in the heart. She told me Maria had cancer. I went to see Ms. Maria and she confirmed her illness. In this same way, I went to several homes; I worked for six months alone. I would get up and continue with my survey.

In the end, I managed to get a survey of almost five town blocks where I would ask: name, surname, identification number, address and which health center they went to. Then, together with my neighbor, Betty, who was struggling for access to water, and her husband, we made a map of the neighborhood which described the location of the families with health problems.

With the work was finished, I presented it to the Ministries of Health, the Environment, and Agriculture. Dr. Zigarán was the woman doctor who received the document. She asked me to leave the report and said they would look at it. Surprised, she asked me who had prepared it. I answered: “I did”.

They never called. I organized the neighbors I had visited and said to them: “we should take to the street”. We called the media and we went to the

street with posters saying: “we have cancer, leukemia, please assist us”.

At this time, the Minister of Health, Roberto Chuit, commented that he was doing an investigation, that he had done an analysis of the water and the results confirmed that we were drinking water with endosulfan, DDT isomers, 24d, hexachlorocyclohexano, chlordane lindane, malathion, etc., all highly poisonous chemicals for soil, water and human beings.

Doctor Mario Carpio, contracted by the government, also gave us alarming information and requested that we not publish his name. Realizing there were many sick people and in order not to compromise the doctor, we proceeded to do another survey. House by house in half the neighborhood, we made a map of the sick. We called it ‘The Map of Death’- and with this data, we returned to claim our rights.

We had recorded more than 300 cancer cases (breast, intestinal, prostate, throat, lung, skin, etc.); 16 cases of leukemia LLA, mixed and meloides, hemolytic anemias, lupus, purpuras, hocking, lymphatic, etc.; and many children with malformations- kidney, intestinal; children born with no jawbone, without the small bone of the head, with only thumbs, others with six fingers, etc. I remember many families asking for help from me...I think of Mrs. Core...Mrs. Reyna....I remember Ezequiel requesting help- I would never forget him even if they emptied my brain. Ezequiel had 23 tumors, many in his spine and several in his head and he needed an operation. We called the media. In the newspaper, “La Voz del Interior” (The Voice from Inside”) we made a plea for help. Some functionaries saw the situation and helped us with the operation, but shortly afterwards, he died. Unforgivable. I can’t understand what goes on in the heads of these public servants that they don’t see such pain- he was a hero! Shortly after, we discovered that his sister, Debora, also had tumors. She was a few years younger than Ezequiel. And a short time later, she finally died. Their mother, Yoly, also had tumors. Given this level of suffering, and the desperate and deplorable economic situation, the government responded only with a bit of subsidy.

Observation of these sad and unjust events meant no doubts remained. Agro chemicals being used in the

fumigation of soy monocrops were making our people sick and killing us.

In my case, I could never push the sadness aside. I think of the people I lost who are in heaven, waiting for justice. I think it was a mistake that my daughter left us. For this reason, I struggle, despite the pain and anger, hoping that the sun shines again on my people.

FIRST RESULTS OF THE MOTHERS OF ITUZAINGÓ

In June, 2002, we formed the group of Mothers from the neighborhood. At the time, we were 16 mothers affected by the agro chemical contamination. We only worked together for three years, until 2005; many women leave the struggle because of weariness, leadership, or simply because we all want to be head honchos.

But some of us stay on, and since that time, the struggle of the Founding Mothers never stopped. We are six women warriors who have made our struggle known throughout the world.

The Mothers get together twice a month. We meet and organize the tasks that need to be undertaken. To challenge destiny, we make collective decisions. We are at the forefront of the defense and we confront police violence, which has pursued us during protests against the transnational, Monsanto.

In 2002, based on our work as Mothers, we managed three municipal ordinances, declaring the neighborhood in a state of sanitary emergency due to contamination from agro chemicals used in the soy plantations surrounding our neighborhood. The ordinance No. 10505 declared the neighborhood a sanitary emergency; the 10589 and the 10590 prohibited areal fumigation of the land at less than 2,500 meters from the last house in the area. These ordinances finally resulted in prohibition of fumigation in all common lands of the city.



We continued to pressure, and in June, 2002, the Municipality of Córdoba ordered the Provincial Agriculture authority to engage in follow-up and monitoring to ensure compliance with the ordinances. It was shown these norms were not being totally respected, and that cases of toxic aggression continued among the population because of the agro chemical air applicators.

These ordinances had been achieved by knocking on each Ministry door. Of course, we were treated as mad women and liars, but with time, we were proven to be right. On several occasions we held public audiences in the legislature so we would be heard, although civil servant and soy farmers ill-treated us, telling us they had lands under fumigation and nothing happened to them. We left in tears, disillusioned because we found no answers.

Death wandered around our homes, patiently waiting; wounds had been left open and were very difficult to close. Given this frustration, we decided to mobilize in the streets and garner the attention of the media to denounce yet once again that our neighborhood was dying because of agro chemicals.

Together as Mothers, we demanded answers from the government, and with insistence, we managed to get the following considered:

- 2002. The Provincial Minister of Health, Roberto Chuit, together with the Catholic University of Córdoba, prepared a report which stated that we were well and healthy, given the cancer rate in the Ituzaingó neighborhood was the same as any other. He also said we were mad!
- 2005. The epidemiologist from La Plata, Edgardo Schinder, contracted by the Municipality of Córdoba to do comparative research with a near-by neighborhood, concluded his report by saying the Ituzaingó neighborhood was “uninhabitable” and that the life expectancy of its inhabitants was 43 years. Because of this pronouncement, the doctor received threats and had to leave Córdoba. For the municipality, it would never be convenient that an issue of genocide of this seriousness become widely known.
- 2007. The Municipality of Córdoba contracted the PHO- Pan-American Health Organization- by way of a consultant, Dr. Ariel Depetris, to investigate. He wor-

ked with all the reports and concluded that the neighborhood was contaminated. We already knew this.

● 2009. All these declarations raised antennas, to the point that on January, 19, 2009, President Cristina Fernández de Kirchner, passed Decree 21/2009 and created a National Investigative Commission, reporting to the Ministry of Health.

Its objectives were to investigate the facts that had been denounced about the improper use of fumigation and aggression by soy-growers; to make recommendations; propose actions, plans, and programs; and to elaborate guideline for the rational use of agro chemicals. In this Decree, special mention was made of our neighborhood as an emblematic case of contamination due to fumigation with glyphosate.

However, we had to keep working since the plea of the sick had been ignored, and the government only became sufficiently alarmed when people could no longer work or eat due to disabilities caused by fumigation. Then, the government sent social workers and a team of specialists to help the population with disability subsidies. This means, that today, 2015, people have health subsidies.

Despite the fact that the issue was garnering more visibility every day, we were convinced that the government, then and now, governed on behalf of the corporations. For this reason, we continued with the struggle. We were always convinced of the legitimacy of our struggle as ordinary folk who were only demanding that our voices be heard and our lives respected. We were committed to the transformation of our reality and for this reason we took on Monsanto, as the producer and promoter of agro chemicals. Our only weapon has always been our bodies. However, we did not know what was in store.



FUMIGATION ON TRIAL: HISTORIC CONDEMNATION AGAINST SOY GROWERS FOR ENVIRONMENTAL CONTAMINATION

In 2002, the Mothers and neighbors began to denounce fumigation in the Ituzaingó neighborhood. We presented complaint after complaint, but we were never listened, until we began stopping fumigations using ground machines. We would place ourselves in front of the machines, but they were waiting for us with machetes and they lowered their pants. They wanted to scare us; they directed the fumigation machines at us. One day we went with men to support us. But when we crossed the terrain, and they saw other men with machetes and big knives, they ran. Cowards! In the meantime, I noted each incident in a note-book: the day, hour, patent, and the individuals involved. I know the days they fumigated and this helped us with the lawsuit.

The first trial in Latin America against fumigations was in 2009, based on complaints raised from 2004 and 2009, the first appeal I lodged personally, in representation of the struggle realized by the Mothers.

The trial began in 2009 and concluded in 2012. The complainant was Dr. Medardo Ávila. Nearly all the people from the neighborhood who had been affected provided testimony. It was a trial against three people:

two soy growers and an aerial applicator: Gabrielli, Parra, and Pancello, accused of the crime of fumigation and for violating related ordinances. There, we witnessed how people from our own neighborhood lied. For example, Mr. Hugo Castaña said that he did not know me and that he knew nothing about fumigations. He lived three meters from the genetically modified soy crops and he was a client at our kiosk. We had even made denouncements to the police together and his signature was on them. He lied and the judge told him he was a blight on the country.

Other neighbors, men and women, talked about how their loved ones were becoming ill and how they could not fight the cancer. Others cried out of desperation, brought out pictures of their children who had lost their hair from chemotherapy, and shouted out of impotence. Others tried to ask the judge how they could possibly live with this level of fear in the neighborhood, how could they explain to their children that their mother was no longer with them. It was very sad to see so much pain, so much injustice in the justice system. The trial ended in 2012 with the sentencing of two of them. The owner of a farm, as author of the crime of environmental contamination, and the co-author, the air applicator pilot, were charged with illegal fumigation with chemical substances prohibited by the application authority, and were condemned to three years of conditional confinement. They were supposed to do community work in an oncology hospital, but the hospital refused to receive them. They appealed the sentence.

It was an historic trial for many, since it recognized environmental contamination as a crime. But I believe that a person who makes others sick and kills should go to prison.

THE PRIZE OF PERSEVERANCE

The Goldman Prize, known as the “Nobel Green Prize” in the USA, was awarded when I was full of fury and sadness. Before travelling I visited my niece, Celeste, who had been admitted to the Children’s Hospital, since she was also sick. When I finished work, I went up

and stayed with her on the second floor. We spent time painting, telling stories, and dressing up. She always said: “I am tired, I can’t give any more, auntie”. But she wanted to live.

On Thursday I went to say good bye to her since I was travelling to San Francisco to receive the prize. Celeste didn’t give kisses to anyone, she only waved her hand. I said to her: “I am going, princess, and then I’ll be back”. She knew I was going to travel. When I reached the door, she called me. And said: “Auntie, I am going to give you a kiss”. She complained a lot, the kiss hurt. Despite the sadness I felt at seeing her suffer, finally, I left.

It was a dream trip. I was going to receive the “Prize against Genetically Modified Substances”. Before travelling, I asked if the prize was individual or collective since I am a member of the Mothers of Ituzaingó Founders Group, and we struggled together in our neighborhood and the Province. However, I was told it was individual and that I should travel with a family member, so I travelled with my then-husband.

We arrived and the running around and interviews with everybody started. I was the only award-winner directly from the communities. We were- as Melina said- ‘stars for a day’. The following day we waited for the Goldmans who were very down-to-earth and cordial people.

The day before the award ceremony, I was informed that Don Tapia, a neighbor from the area who was in the video that I would present upon receiving the prize, had died. This was very difficult for me, he was someone I respected a lot. Even harder, was the following day, the day of the event. I was informed that my niece Celeste had also died. After the death of my daughter, this was the cruelest thing that had happened to me. I didn’t want to receive the prize; I felt I could not enjoy it. I was very sad as I went on stage, knowing that two people who had struggled to live were gone.

Although this prize was internationally recognized, in my own country it wasn’t convenient to talk about it a lot, since the deals with the corporations were moving forward. In Argentina, I am the only awardee of



the Goldman Prize and this brought out the curious, the furious, and the ill-intentioned, because there was money involved. When there is money, there is discord. Mothers who abandoned the struggle in 2005 and only worked for two years with us, wanted the money. The prize, as is right, was shared with my sisters of struggle and several patients, even though it was an individual prize. But still it was not enough for all those ill with cancer.

MONSANTO IS A BAD WORD: PROCESSING PLANT ANNOUNCED FOR MALVINAS

In June, 2012, on exactly the same day the trial of the soy growers in the Barrio Ituzaingó neighborhood ended, President Cristina Fernandez had the nerve to announce with bells and whistles from New York that Monsanto would install a seed processing plant in Malvinas Argentinas, in our province. When we heard this, we were sitting on the floor in the tribunals, waiting for the verdict. We said: “like hell it will be installed!” It would seem this news went unnoticed, except

for us, the Movement of Landless Rural Workers-MST-, and our neighbors in Malvinas.

According to Monsanto, this plant for conditioning genetically modified corn seed would have characteristics similar to the Rojas plant in Buenos Aires province; so that together with the existing plant, Argentina would have two of the largest plants in the world.

With an investment of US\$1.500 million, the plant would generate an annual output of 60,000 tons of seeds, using 70% national supplies, and creating 400 jobs².

We who already knew about the environmental and health effects of the mono-cropping, transgenic, agro chemical model were aware that this was a matter of life or death. Therefore we approached the locality of

2 See the official Monsanto site: <http://www.monsanto.com/global/ar/nuestros-compromisos/pages/planta-malvinas-argentinas.aspx>

Malvinas to talk with neighbors and join our strengths. They had already begun to organize marches and road-blocks, and were beginning the long process of building their Assembly. So a new organization was born: "Malvinas Struggles for Life".

At the time, we didn't know that 20% of the plant had already been constructed- the work had begun in August, 2013. When I arrived at the site, I saw trucks coming and going, I saw workers getting out of cars and off buses, to go into the site. So I went home and called Maria- my sister in struggle. I told her: "we have to get inside the plant in order to stop construction". She replied: "you and who else"? I responded: "with you". Later I told her I had an idea: "we will organize a festival: - 'Spring without Monsanto'- in front of the site where the plant was being constructed. We will call people together and we will all move in".

I confided to Dr. Carrasco³ who told me: "Sofia, you are going to get your hands slapped, they are going to detain you for entering private property, and Monsanto will put its foot down. I looked at him and said: "I will look for another way". A month later I met Dr. Carrasco in Rosario; he called me over to a corner and asked: "So, Sofia, what are you going to do? I will support you". I told him we would organize a festival and block the entrances. "I think this is a better idea", Dr. Carrasco told me. "Count on me, I will show up that day". That day when I was leaving he said to me: "have your shoelaces well tied because from that day on the police will chase you forever". And these words were true. The police pursued me for blocking Monsanto; however, as a good student, I had my shoelaces well tied as Dr. Carrasco had advised.

"THE DRUMS OF REBELLION ROLL: SIT-IN AND FESTIVAL "SPRING WITHOUT MONSANTO"

In September, 2013, we began to meet at a place in the center to organize the festival. We planned to invi-

te a large number of musicians who could spread the word about the need to stop the plant.

In the Malvinas Assembly, we proposed blocking Monsanto so plant construction could not move ahead.

Some people came out against this idea, thinking it was a hasty decision, or simply because they felt I was getting involved in a situation that had nothing to do with me. Some even took advantage of the occasion to verbally mistreat me. Others indicated they were in agreement, but that it would be necessary to reach consensus in the Assembly; therefore, some said they would support me as neighbors. Meanwhile I remained strong in my proposal to block off the site and realize the festival.

Many musicians, able to spread the word about the need to stop the plant, attended the festival. On September 18th, several sisters and brothers went to Malvinas with tents, blankets, water, and something to eat in order to camp out on the site. We arrived in darkness to take it over, accompanied by comrades from the Landless Movement.

On the morning of the 19th people from Buenos Aires, San Luis, peasants from different parts of the country, members of "Millions against Monsanto", and other organizations, began to arrive. Of course, the police also arrived and positioned themselves close to us to intimidate us, but without success.

The Festival 'Spring without Monsanto' began at night. Drums wrapped in clouds of paper arrived, a rhythm waiting for the shout of those who had been silenced. These were the peoples' musicians: Manu Chao, Ciro Pertusi, Perro Verde, Las Pastillas del abuelo, Pelado Cordera con la Caravana Mágica, Calle 13, Charly Giménez, La Cruza, among others. All singing in unison: Get out, Monsanto!, a song that could be heard in every corner of town, calling for Mother Earth to be amongst us, as well as those who were absent. When the festival ended, around four in the morning, the groups remained in the tents, blocking the site.

³ Doctor Andrés Carrasco provided unconditional support to the Mothers, and turned over important research to prove the relationship between cancer and fumigation in the Ituzaingó Neighborhood.

Around six in the morning the first truck, carrying materials, tried to get in. We got up quickly, some barefoot and others with their pants halfway up. It was really cold and we placed ourselves in the center of the entrance so it couldn't get through. The driver of the truck shouted: "Get out, I am working!" We answered: "this place is blocked off". After this truck, another arrived and then went into reverse to get in by another entrance. I jumped up and tried to stop him. The driver of the first truck said: "trample her, trample her"! Meanwhile, Maria and some other comrades began to run to block off the second gate. The truck sped up and tried to get past. I ran because I was being trampled. The second truck speeded up and went to another gate where the workers enter, but we also had that blocked. The police returned with additional troops and asked us how long we would be staying. We said "until Monsanto leaves".

Many comrades from different organizations began to come by, offering support. However, the Monsanto foremen also began to insult us and to pressure to be allowed to enter. At first, we only allowed water, food and workers in. Later we realized that workers with small cases containing work tools were beginning to arrive. Finally, we said: "enough, nobody else gets in"! With this decision, the police began to increase their presence and to harass our sit-in. As time passed, remaining in the encampment became more difficult since it was very cold, there was not enough water or food, nor bathrooms.

Important political and economic powers were pondering the decision to repress us, or not. The challenge was on the table and we made our voices heard, repeating the same slogan over and over again: "We Don't Want Monsanto". We were confronting madness with great passion, considering the seed of evil was germinating in Malvinas and that we wanted to pull it out by the root. We were looking for our independence and we wanted to democratize decisions affecting everyone. We were ignoring the malicious power of the corporations. An evil government sent in the police. Workers were confronting workers.

On September 30th, more than 200 police, between infantry and the ETER, the special police of the provin-



ce of Córdoba, showed up. They came to get us out. We grabbed each other's arms and formed a human chain in front of the police cordon. There were several adults and many young people. I saw several trucks arriving from the west; so I freed myself from the chain and began to walk quickly without running since I knew the police would detain me. When the truck arrived I didn't know what to do to stop it. I looked the driver in the eye, he looked at me, and speeded up slightly. So I challenged him, I looked him square in the eye and lay down under the wheels. "The devil you are going to get through", I thought. "You will have to take me with you!"

Behind this truck, there were about ten more, full of materials. I saw Maria and shouted to her: "lie down Maria, here, beside me, and don't let go. We held on tightly to each other and soon several other strugglers began to lie down beside us. Policewomen began to pull us out, one by one, but when they got to me, they dragged me by the hands and tossed me to one side. Since I went back to my place, several more police grabbed me and threw me forcefully to the side of the road. My head hit the asphalt, I lost consciousness for a few moments, and when I came to, I once again placed my body under the wheels of the truck. Again, the police dragged me and beat me terribly. The blows made me lose consciousness, but the trucks could not get through. They began to back up and then we realized that we had power. "THE PEOPLE RULE".

Finally, I wanted to get up but couldn't. I was taken to hospital and the diagnosis was cranial trauma. However, at night, I went back to the encampment. They were in assembly, discussing whether or not to

pull up the camp. It was then I interrupted, saying: “No, they royally worked us over, we are going to stay until Monsanto leaves!” And that’s what we did.

In September, 2015, the Spring Festival without Monsanto celebrated its third edition. We have attracted more neighbors, organizations, and artists to continue spreading the word about our opposition to the transnational economic model in Cordoba. Despite company pressure, criminalization, and repression, to this day we have managed to ensure the works don’t proceed.

PERSECUTION FOR DEFENDING LIFE AND HEALTH

The threats began. When I was going to work, a man got on the same bus, in Alta Gracia, wielding a firearm and warning me that “he was going to blow my brains all over Malvinas Argentinas if I didn’t stop the struggle against Monsanto”:

A short while later, a young boy started waiting for me in the dark near my workplace. He did the same for a week, and then one day, when I left work, two other young guys appeared on a motorcycle at the bus-stop. One threw himself on top of me, pushed me to the ground, beating and kicking me. The other guy got off and began to pull me by my hair. I shouted a lot and just then a car passed by and stopped to defend me. With this, the guys sped off on the bike and escaped. As a result, I was assigned a personal woman bodyguard and another in my residence.

It was really a pain having the police at my side. It’s better to die in freedom than to live as a prisoner in democracy. The guard slept beside my bed, she was always there, she got up when I got up; she took the bus and went to work with me. It was horrible because I felt I could not be myself.

Anyway, the guard could not prevent me from being attacked. For example, one day, members of the Workers’ Construction Union of the Republic of Argentina, UOCRA (for acronym in Spanish), insulted and physically attacked the young people who were still resisting in the encampment at the plant. Since the guard was with me that day I felt motivated to try to defend them. However, when they saw me, the men of UOCRA shouted: “get the blond” and they beat us brutally, both the female guard and myself.

That day, many of our fellow strugglers were hospitalized, and others, like myself, were interned with cranial traumas. They wanted to kill hope, end everything that seemed like an alternative, but they could not. We became even stronger.

Later, I suffered other attacks. Several Monsanto members accused us of having threatened them in Rosario University during the presentation of a new seed, and for this, they wanted to lay charges. But we only wanted to be part of the debate. Sometime later, there was an attempt to burn our home, my dog was killed, and my children were threatened.

During the last version of the Spring Festival without Monsanto, in September, 2015, I was again victim of threats. Strange men came to my house, they beat me, and told me that if I wanted to remain alive, I better not go the Festival nor collaborate with its organization.

THE PROVINCIAL ENVIRONMENTAL LAW

We knew the encampment and the Festival had gained recognition and legitimacy, and that resistance is a process of identity construction and strengthening. Our collective identity was to struggle against capitalism, this was our challenge. Since the government of Cordoba couldn’t evict us, the decision was to develop a law in favor of Monsanto. It was modern dress-up for the same mercenaries. So, we took up the struggle in the Legislature.

Some neighbors who came forward on their own, environmental groups, the Malvinas Struggle for Life Assembly, and the Mothers of Ituzaingó continued fighting back. In January, 2014, we supported a protec-

tive action presented by the Law Club, backed by the Cordoba Chamber of Labor, which ordered that construction at the plant stop until such time a procedure known as an Environmental Impact Evaluation had been undertaken. At the same time, it was decreed that the municipality of Malvinas Argentinas would refrain from emitting any authorization for the company until said procedure had concluded⁴.

In February, 2014, the Environmental Secretariat of Cordoba rejected the environmental impact studies presented by Monsanto because "it considered the relevant impacts had not been identified, nor was there sufficient background documentation"⁵. However, the company was not daunted and insisted on presenting other studies. It was in this context that the De la Sota government gave the go-ahead for the new Environmental Law project.

In June, 2014, the Unicameral Legislature of Cordoba approved the Law on Provincial Environmental Policy. This complemented existing national legislation on the environment. The Law was put forward by the Executive and had the support of all parliamentary blocks, except for the Left Front and of the Workers⁶.

This Law contemplated the need for prior Environmental Impact Assessments before any project began. It was to include an impact study, a public hearing, and if the case merited, a popular consultation. However, none of these mechanisms would be binding. According to the Law, the consultation could be called for by the executive branch, the legislature, or by popular initiative, requiring 20% of the electoral list of the municipality⁷.

We, as the Mothers, as well as neighbors of Malvinas, rejected this Law, since Monsanto was being given an opportunity to present a second impact study for the plant, given the first had been rejected. Besides, just to clarify, that although it appeared space was

being opened up for citizen participation, this new Law reinforced concentration of decision-making in the Provincial government, a government which had been against us. We must remember it had approved initial permits to begin construction of the plant.

Negative votes during the debate proved us right; it was argued that the Law was not based in diagnostics of environmental conditions and that it weakened public audiences and popular consultations by leaving everything in the hands of the Provincial authority. And the most serious consideration was that, although it established that previously rejected impact studies could not be re-presented, it opened the door for Monsanto to present a new study, arguing the Law was not retroactive⁸.

For this reason, we were present on June 11, 2014 during the approval of the Law in order to register our disagreement. We tore down barricades in order to enter the Legislature, and the Police stopped us with tear gas and serious repression. Soon after, the witch-hunt began. The police identified the leaders of the struggles and pursued them to incarcerate them. They were severely beaten and then taken close to the Olmos Patio in the center of the city of Cordoba.

Repression that day left a balance of 23 fellow strugglers detained and several wounded, for defending the right to health and life. These friends now have a police record and cannot freely defend life since they will be tried.

CONTINUATION OF THE THREAT: A BINDING POPULAR CONSULTATION REQUIRED

In July, 2014, the Association of Environmental Lawyers of Argentina emitted an expert opinion on the Law on Environmental Policy, concluding that "the immediate application of this article (Article 20 that forbids presentation of a project, once it has been rejected) ...implies termination of the discussion around the installation of the Monsanto Plant in Malvinas Ar-

4 See: <http://www.bogasambientalistas.org/2014/07/dictamen-de-la-asociacion-argentina-de.html>

5 See: <http://www.otromundoesposible.net/noticias/argentina-aprobada-ley-provincial-a-favor-de-monsanto>

6 See: <http://www.eldiariodecarlospaz.com/provincial/2014/6/12/que-dice-ambiente-aprobada-anoche-cordoba-2264.html>

7 See: <http://www.lavoz.com.ar/politica/fuerte-aval-politico-para-la-polemica-ley-ambiental>

8 See: <http://www.otromundoesposible.net/noticias/argentina-aprobada-ley-provincial-a-favor-de-monsanto>

gentinas, since there are no further institutional channels for Monsanto to obtain certification of environmental compliance for its project, necessary to initiate construction and the functioning of the activity”⁹.

However, and despite total social rejection surrounding installation of the plant, Monsanto once again insisted on presenting environmental impact studies in 2016.

We can presume, from their declarations, that they will be moving forward with a lot of force; “there is no Plan B for the establishment of the plant in Cordoba. We elected Malvinas Argentinas and we are convinced we will comply with the requirements to continue the construction”, claims the company¹⁰. On this occasion, they will present a chapter dedicated to health impacts in order to comply with the Law on Environmental Policy and avoid rejection once again.

The Popular Consultation, which would allow the people to decide whether or not they want the processing plant, has been a central demand ever since the Malvinas Assembly for Life came into being; however, it has never happened.

Three surveys undertaken in April and October, 2013 and in September, 2014, by different entities, showed that the Malvinas community was in favor of the popular consultation as a conflict resolution mechanism. In these surveys, between 60 and 65% said they were against the installation of the plant¹¹.

9 See <http://www.bogasambientalistas.org/2014/07/dictamen-de-la-asociacion-argentina-de.html>

10 See: <http://www.lavoz.com.ar/negocios/monsanto-diferiria-para-2016-el-nuevo-estudio-ambiental>

11 See: <http://www.comambiental.com.ar/2015/06/malvinas-argentinas-cerca-de-la.html>

During the first lock-out at the plant, Adolfo Pérez Esquivel, Nobel Peace Prize winner, also spoke in our favor, saying that the “Monsanto company has done much damage everywhere in the world, not only here” and that “people must be consulted. Democracy means the right to equality for all and not just for the few and you have the right to demand to be consulted and to participate in a plebiscite about whether or not you want the plant here”¹².

From the time of our sit-in at the plant in September, 2013, the Company has opposed, for obvious reasons, the realization of a consultation. They said: “listening to the community’s opinion is very important...and we believe that a public hearing can be a very interesting measure for decompressing this situation (...) The public hearing is a technical space where all the arguments are heard and analyzed”¹³. In this way, they have always wanted to limit a mechanism for community participation and decision-making to a non-binding meeting where the company’s ‘technical criteria’ take precedence. It was expressed in this way by the mayor of Malvinas, Daniel Arzani, who said “I do and will always work for community well-being. We will do what needs to be done and at the moment it needs to be done. The Law states that, if it is called, it could be a public hearing rather than a popular consultation. We abide by Provincial Law and not National Law”¹⁴.

However, in March 2014¹⁵, De la Sota, governor of the Province, declared he was in favor of a popular consultation, and that it would be retained in the Law on Environmental Policy. But this same Law stipulated that both hearings and consultations would not be binding, confirming our opinion would not be taken into consideration.

12 See: <http://www.lavoz.com.ar/politica/perez-esquivel-pide-una-consulta-popular-por-monsanto>

13 See: <http://www.cba24n.com.ar/content/el-municipio-de-malvinas-y-monsanto-rechazan-consulta-popular>

14 See: <http://www.cba24n.com.ar/content/el-municipio-de-malvinas-y-monsanto-rechazan-consulta-popular>

15 See: <http://www.diaadia.com.ar/cordoba/sota-aval-consulta-popular-instalacion-monsanto>

From the moment the installation of the plant in Malvinas was announced, the topic of Monsanto has been central in the administration of the locality and has generated polemics in electoral politics. Daniel Arzani of the official Radical Civic Union Party (UCR for acronym in Spanish), mayor of the area on three occasions, believed it would always be easy to support Monsanto. It was he who approved the installation project in 2012, and who declared himself against the popular consultation. At that time, since his party had 86% support, while the opposition party, Union of Cordoba, only had 14%, he believed his role as governor was already won and that the seed processing plant was a reality. However, in the last elections in June, 2015, everything was turned around in favor of the struggle for life in Malvinas.

For these elections, community members opposing the plant, decided to run, creating the Awaken Malvinas movement, and choosing as its main issue, the realization of a binding popular consultation. Their candidate was Victor Hugo Mazzalay. It was so successful that the official UCR Party was surprised and scared. Although the Radical Civic Union won once again, with their candidate, Silvina González, the only one officially in favor of Monsanto, the favorability of the party fell from 80% to 40% and only obtained 2,740 votes to the 34% (2,301 votes) won by Awaken Malvinas without political machinery or resources.

Besides, due to pressure exerted by Awaken Malvinas during the campaign, and with the support of the AVAAZ group, other candidates defined their position around the issue and declared they were in favor of a popular, binding consultation. Mazzalay was not elected mayor but the entire Malvinas for Life Movement celebrated, since he, along with his women colleagues, Celina Molina and Vanesa Satori, would form part of the Deliberative Council, which after June of that year would be composed of 4 members from the UCR- pro Monsanto- and three from Awaken Malvinas of the opposition. Given this new panorama, the "officialists" had to modify their discourse. On June 16, two days after the elections, Silvina Gonzalez of the UCR declared to the media that "the majority will decide what is to be

done in a popular consultation"; but she also said that "the actual topic of the consultation will be worked on by the company involved. We are going to remain on the sidelines"¹⁶. This allows a glimpse of an ambiguous and fearful position, which, on the one hand, recognizes the social and political cost implied in supporting Monsanto in the current circumstances; and on the other, that although a door was opened for a consultation, this would be mainly in the hands of the company, which, obviously, was of great concern for the population. It was also assumed that the popular consultation would happen only after the second Environmental Impact Study is presented by Monsanto.

Neighbors from the Assembly, the Mothers of Ituzaingó, and all organizations that have participated in this struggle feel optimistic. Although we did not win this first electoral battle, we rattled the security of the official party and the company. They know we are stronger and that we will not give up until the consultation is undertaken and the voice of the people is respected.

Throughout this journey of struggle, I think perhaps we have realized that, in the middle of our pain, having gained recognition of our social struggle has always been the most enriching experience. With this struggle, a crack has been opened in the destiny of many mothers of tender heart; mothers who saw their children die, mothers that even today have not found consolation. We remain firm because there is a light from far that has been lit: Hope!

16 See: <http://www.comambiental.com.ar/2015/06/malvinas-habra-consulta-por-monsanto.html>

AS WARRIORS
DEFENDERS WE
RECLAIM ANCESTRAL
AND LOVE THREADS
AND KNOWLEDGES
TO SAFEGUARD OUR
IDENTITIES AND OUR
BODY-TERRITORIES.

WEAVING DIGNITY

Words of Women in the Mitting Women Defenders of Life
Against Extractivism, august, 2015



