

Public Declaration:

Multimillion fine and temporary suspension: A politically correct, media-friendly and socio-environmentally criminal sentence

The sentence imposed by the Chilean Superintendent of the Environment constitutes a dangerous precedent for communities affected by mega-projects, given its disregard for the history of complaints and sanctions against the Pascua Lama project, and its indifference to the voices of organizations that have raised the inviability of this bi-national mining project for more than ten years.

For the communities and organizations of the Huasco Valley, who have complained about Barrick Gold's irresponsible operations in our headwaters for years, the Superintendent's decision was made to suit the transnational mining company. Throughout the investigation, the company pressured authorities to ensure that it could keep working. These factors do not negate the rigour or serious nature with which the authority carried out its duties in technical terms. However, they do demonstrate the Chilean state's failure to consider options for local development, its willingness to manipulate public opinion as it wishes, and to impose a savage form of extractivism that preys upon the sources of water and life in our territories.

We are faced with a sentence that recognizes that the title holder "has deliberately failed to comply with a large number of commitments which, it is worth recalling, it took upon itself in order to benefit from the approval of this project" (Free-Standing Resolution No. 024, February 15, 2006). The four month investigation flowed from an admission by the company that was made in order to minimize applicable sanctions. The investigation revealed that the mining company failed to adequately construct the North Perimeter Channel, which resulted in two landslides that affected water supplies and lowlands. Furthermore, the investigation revealed that the company either failed to construct, or illegally constructed, a series of projects related to water management that it committed to undertake in its Environmental Qualifying Resolution (RCA by its initials in Spanish). Additionally, problems were found in the management of water quality studies, including the concealment and omission of information (Decree 37). Aggravating all of this, the authority emitted provisional measures that the company criminally decided not to fulfill (Resolution 107), demonstrating the company's ongoing disinterest in the life and health of downstream communities.

However, all of the above, serious as it is, is limited to the events that were verified between December and February 2013. The investigation ignores the company's history of abuse regarding its RCA, something that we formally asked be considered. In other words, this sanction does not include: the confirmed impacts on glaciers; road works that have not been built, as promised; poor labour conditions; the usurpation of water resources, which was sanctioned in 2007; or the discharge of water contaminated with fecal coliforms into the river. Had these issues been incorporated in the investigation, they inevitably would have led to the revocation of the Environmental Qualifying Resolution (RCA) and the project's closure.

This sentence is a warning that companies must now operate more responsibly. However, its amnesia perpetuates a state of impunity for prior damage, creating the impression that the new

environmental authority is nothing more than a recycled version of the institution that allowed the accelerated degradation of our common goods.

For us, the fine that the Superintendent has imposed is insignificant when measured against the irreparable damages produced in our headwaters. This sentence's true import is the state's recognition of what we have been saying for ten years: Barrick is an irresponsible mining company that lies and makes a laughing stock of Chilean institutions, that regularly and intentionally damages the environment, and while benefiting from the support of the authorities, represents a threat to glacier and peri-glacier areas and, along with them, the life and health of thousands of people who live in the Chilean Huasco Valley and in the province of San Juan, Argentina.

The organizations listed below emphatically defend the right to life and reiterate that we will not rest until we achieve the definitive closure of the destructive Pascua Lama project.

Sincerely,

Asamblea por el Agua del Huasco Alto
Comité Ecológico y Cultural Esperanza de Vida
Comunidad Diaguita Patay Co
Consejo de Defensa del Valle del Huasco
Grupo Ecológico Atacama Limpio
Pastoral Salvaguarda de la Creación
Comisión Agua y Vida. Iglesia Evangélica Presbiteriana, Chigüinto
Unidos por el Agua, Conay
Pajareteros Alto del Carmen
Sindicato de la Construcción, Provincia Huasco
Observatorio Latinoamericano de Conflictos Ambientales, OLCA

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