**MINING AND COVID-19**

**Monitoring Network**

**Observatory of Mining Conflicts in Latin America (OCMAL)**





**With information provided by OCMAL members**

Acción Ecológica, Ecuador - CEDIB, Bolivia - CEHPRODEC, Honduras - CENSAT Agua Viva, Colombia - Centro Humboltd, Nicaragua - CASA Collective, Bolivia - Ecological Voices Collective, Panama - COPERACCIÓN, Peru - Justicia Nos Trilhos and Associação Comunitária de Jangada, Brumadinho, Brazil - Observatory of Political Ecology OEP, Venezuela - Melisa Argento, Lorena Bottaro, Florencia Puente, Marian Sola Álvarez - ARGENTINA - OLCA, Chile.

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**Translation by London Mining Network**



*This is a translation of OCMAL reports* [*https://www.ocmal.org/wp-content/uploads/2020/07/Red-de-Vigilancia-OCMAL-miner%C3%ADa-y-COVID-19.pdf*](https://www.ocmal.org/wp-content/uploads/2020/07/Red-de-Vigilancia-OCMAL-minería-y-COVID-19.pdf) *(July 2020) and* [*https://www.ocmal.org/wp-content/uploads/2020/11/2do-Informe-OCMAL-Mineria-y-Covid-.pdf*](https://www.ocmal.org/wp-content/uploads/2020/11/2do-Informe-OCMAL-Mineria-y-Covid-.pdf) *(October 2020) by Holly Jones for London Mining Network, March 2021.*



INTRODUCTION

Report nº 1

OCMAL’s mining and Covid-19 Monitoring Network is the initiative of civil society organisations from several countries in Latin America. Our objective is to carry out an inquiry into significant events that have happened during the Covid-19 pandemic in areas of Latin America where mining projects are located, and the potential impact on local communities. Of particular interest are the policies implemented by the governments of each country to contain the public health crisis, the official emergency measures introduced in the mining sector, and the number of Covid-19 cases registered in mining sites and in their neighbouring communities.

There has been a lot of concern among local communities and local authorities which has not been echoed by central governments. Due to very little tracking and tracing, no link has been identified between the risks and infections in the areas where the mines operate. Furthermore, mining companies have been pressuring governments to keep extraction operations running and have bolstered their public image by bringing in medical supplies and provisions, while assuring everyone that mining is what will revive the economy.

This network is also interested in how the communities in question have responded to the government’s handling of the pandemic, as it has sought to protect economic rights before protecting the rights of communities. Likewise, one of our priorities is to identify the needs of local populations who, even before the arrival of Covid-19, were already confronting an environment of social vulnerability as a result of the violent mechanisms implemented by governments to impose mining activity in their territories.

Another fundamental task for the Monitoring Network is to look at the specific context that women have found themselves in under the restrictions introduced in response to the pandemic, including increased domestic work, less visibility and a rise in domestic violence. In this regard, it is important to highlight that in the overall framework of care, and particularly in the Latin American region, states and policies which profess to a way out of this health, social and economic crisis, merely transfer the main activities of sustaining life (health and food) onto the shoulders of millions of women. In territories that have been dispossessed by the mining industry, the disproportionate impact on women and their significant vulnerability is something women defending their environment have long been warning about. With the situation potentially worsening, the work which continues to guarantee a fabric of resistance within the community is overwhelmingly also led by women. Below, we provide an analysis of the situation.



GOVERNMENT POLICIES

Government policies aimed at tackling the pandemic have had different forms.

LOCKDOWN

The type and level of lockdown has varied depending on the will of each government of the region’s countries. While some countries have had no lockdown, others have combined strategies, resorting to PARTIAL or “DYNAMIC” lockdowns and some to FULL lockdowns.

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| FULL, EARLY LOCKDOWN | |
| HONDURAS | Announced the introduction of a full, national curfew from 10pm on the 16th of March, effective for 7 days. In accordance, during the day businesses will remain open for the provision of food and essentials, but the state will be strictly monitoring businesses to ensure they are following established guidelines (1). This measure has been extended. It was recently announced that the curfew will remain in place until the 28th of July. |
| COLOMBIA | The government chose to lockdown from the 25th of March, which was extended to the 15th of July. Prior to this, shielding for the over 70s was introduced on the 20th of March. |
| PERU | Decreed a National State of Emergency on the 15th of March. Obligatory social isolation was mandated and exercising the rights to certain freedoms was restricted, including personal safety, the inviolability of the home, the freedoms of assembly and movement, alongside the use of the armed forces. |

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| DYNAMIC OR PARTIAL LOCKDOWN | |
| CHILE | Applied dynamic quarantines and quarantine lines from the 13th of March in the Aysén region and on the 26th of March extended this to the Metropolitan Region, establishing a territorial division between different regions. However, in many cases, internal movement remained at a high level. |

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| NO LOCKDOWN | |
| BRAZIL | President Jair Bolsonaro played down the significance of the disease, denying the risk to health posed by the virus. On the 21st of June, Brazil became the first country in Latin America to reach 50,000 deaths from Covid-19 and the second in the world after the United States. |



OFFICIAL MEASURES FOR MINING

In terms of official measures introduced for the mining sector, some countries choose to restrict operations, while others allow operations to continue freely.

RESTRICTION OF OPERATIONS

* **Bolivia** decreed a suspension of all mining activity, public and private, including mining activity during March and April. On the 30th of April, the Ministry of Mining brought in ruling 01/2020, legalising the restart of mining operations from the 2nd of May. Subsequently, corresponding biosafety protocols were approved for the sector. Similarly, deadlines for mining procedures conducted online are resumed in places with medium or moderate risk (14).
* **Honduras** opted for a total ban on mining operations during the health crisis, although it maintained the delivery of environmental permits virtually.
* **Mexico** decided to suspend all non-essential activities, including mining. This order remained in place until May. In early June, the status of mining activity was changed, and it was recognised as essential.
* **Panama** chose to suspend mining activity, although in March it gave an exemption for the copper company Cobre Panamá. In the early days of June, this business was found to feature in the plans to reopen the economy (15).

FREE OPERATION

* **Argentina** declared mining an essential activity for the country’s economy, therefore allowing it to operate freely during the period of the pandemic. They also published a series of recommendations that have to be assessed before a decision to suspend or limit operations can be made as and when required.
* **Brazil** decided not to halt economic activity during the Covid-19 pandemic, and so mining has not stopped (17). Furthermore, the sector was considered to be performing an essential activity and one of the main ways to revive the country’s economy (18). Some mining workers unions have tried to negotiate safety protocols with their employers, but not all are willing to have a dialogue with them. In the majority of cases, the employers have imposed safety protocols for employees to follow, such as remote working, reducing working hours and salaries, advance leave and withdrawing workers from at-risk groups. However, the actions have not had the desired effect in terms of preventing the infection of workers and protecting their health. (19).
* **Colombia** stated that mining is a priority activity for the national economy during the early days of the pandemic, and although it first opted for having partial operation of these activities, some time later it affirmed this priority status and exempted mining from the ban on the activities involved in a full quarantine in the country. Environmental permits continued to be delivered virtually. In addition, the State Council denied a ruling by the municipality of Salento, Quindío, to ban mining in its territory, arguing that the municipalities do not possess the autonomy to sign agreements that prohibit these activities.
* **Chile** stated early on that mining would not stop due to the changes that could occur in the country’s economy. This meant that, in the first instance, mine workers were given a unique collective permit, conceded by the Ministry for Mining. Some time after, with mining considered a public utility, companies began to manage protective measures in order to be able to cross quarantine lines. In addition, they attempted to accelerate the approval of projects by modifying the System of Evaluation of Environmental Impact (SEIA). Notably, it was virtually approved that 350 surveys could be carried out in the Putaendo mountain chain on behalf of the Canadian mining company Andes Copper.
* **Ecuador** did not suspend mining activities, considering the sector a priority for the country’s economy. They made some institutional adaptations to facilitate mining investment and operation.
* **Nicaragua** has not announced official measures related to mining during the pandemic. However, some businesses have been sharing what they are doing. For example, the Canadian capital company Calibre Mining initiated a legal process before the Nicaraguan Ministry of Labour to temporarily suspend operations of the El Limón mines in León and La Libertad in Chontales.
* **Peru** allowed mines to continue operating freely. To enable this, health protocols were put in place which required the constant monitoring of workers. These protocols were slowly loosened. In addition, facilities for administrative procedures related to the mining sector were provided.
* **Venezuela** has not applied any legal restrictions to mining during the pandemic. On the contrary, a decree was made which expanded mining activity in ecologically vulnerable areas on various rivers of the Amazon (Ruling 0010).



INFECTION SPREAD IN THE MINING SECTOR

**Mexico**: 51 infections recorded in the Equinox Gold mine in Los Filos, Guerrero up to 28 May – 2 cases of workers infected in the Tayahua mine in Mazapil, Zacatecas up to 2 May.

Honduras: X There are no records of infections in mines up to 6 July

Nicaragua: X There are no records of infections in mines up to 6 July

Panama: 5 deaths recorded up to 8 June and 200 infections in the Cobre Panamá mine which is owned by the Canadian company First Quantum Minerals located in Colón.

Venezuela: X There are no records of infections up to 12 July > due to the difficulty in identifying different sources of infection: mining or migration. As well as a lack of differentiated data, mining sites proliferated, and the migratory flow increased. There is some information related to the fact that mining activity has not stopped, which has been shared by local government authorities.

Colombia: 3 positive cases up to 4 June > linked to the El Cerrejón mine which is owned by the transnational companies BHP Group, Anglo American and Glencore, of which two are owned by La Guajira and another by Bolívar (21)

Ecuador: X no record of mine workers who have been infected up to 6 July > records show the death of a mother from the indigenous Shuar community, who live in the Ecuadorian Amazon, close to the EXSA mining project, San Carlos Panantza. She was one of the seven members of the community who travelled to Canada from the 1st to the 4th of March to attend the Toronto Mining Convention, hand in hand with members of the Canadian company Solaris Resources Inc (22).

Peru: 1 worker has died and 905 have been infected up to 21 June > Cases recorded in: Piura, Miski Mayo Sal mine (9 cases); La libertad, Horizonte mine (384 cases) and Retamas mine (84 cases); Áncash, Antamina mine (229 infections and 1 death); Callao, Impala mine (2 cases); Lima, Corona SA mine (3 cases) y Uchucchacua mine (150 cases); Ica, Marcobre mine (128 cases); Arequipa, Cerro Verde mine (81 cases); Moquehua, Southern Perú-Cuajone mine (1 case) and Anglo American-Quellaveco mine (11 cases); Puno, Minisur SA mine (8 cases); Cusco, Hudbay mine (29 cases) and Antapaccay mine (4 cases); Junín, Chinanco-Toromocho mine (20 cases); Pasco, Millpo mine, Nexa Resources (1 case) and Tinka Resources mine (1 case).

Brazil: 61 miners have died and at least 1,803 cases have been recorded up to 27 May > 12 cases in Sao Paulo, while the deaths and the other cases of infection relate to the Vale company’s operations, of which 1,603 occurred in Parauapebas and 188 in Itabira. The National Federation of Mineral Extraction Workers of Brazil conducted an inquiry in which 8 unions, which represent the workers of the 12 main companies in the sector, participated. Workers had been infected In 11 out of the 12 companies, with 37% of companies reporting deaths.

Bolivia: 24 miners infected in Huanuni up to 17 June (27) > the reason for which the mining site was put under quarantine as it was becoming a hive of infection. In addition, 2 mine workers were infected in the San Cristóbal mine which went into strict quarantine for 14 days while the cases were confirmed up to 2 July.

Argentina: 58 miners infected, linked to Exar’s Caucharí lithium mining project > a report, published on 10 July by the local government of Jujuy’s Emergency Operative Committee, found that the number of cases of miners infected in the Exar mine had increased from 28 (8 July) to 58.

Chile: 5 miners have died and 2,776 workers have been infected up to 20 June > the state company Codelco was registering 2,300 cases, followed by the transnational BHP Billiton with 206, Antofagasta Minerals SA recorded 114 and Anglo American 156. A report dating to 30 June indicates that the number of workers infected has reached at least 5000 and 12 miners have died.



TRANSMISSION IN THE COMMUNITY

In the places with higher rates of infection among miners there was a higher risk and greater concern for local communities. The main risks identified by Covid-19 result from overcrowding and commuting workers, above all those who have to make long journeys to work and back home again, causing a danger of transmission for them and their families. Plus, in the areas affected by mining activity, this has had a distinct impact on public health, as in the context of the pandemic the local population becomes a vulnerable sector to possible infection with higher associated risks. Such is the case in Antofagasta and Calama in Chile. Below, we show a panorama of total infections which have been registered by zone or locality where mining activity takes place.

MEXICO: 1,351 cases in Zacatecas and 6,949 in Guerrero, up to 10 July.

PANAMA: 241 cases in Colón where the Cobre Panamá project operates from.

VENEZUELA: the towns at high risk from the rates of infection and migration flows are Río Negro, Alto Orinoco and Gran Sabana. There are high rates of vulnerability in indigenous communities due to potential susceptibility to illnesses that affect the immune and respiratory systems, the scarcity of available medical attention, and the limitations that these communities have in some cases to accessing traditional medicine with the loss of these traditions. Furthermore, those with this knowledge and shamans are in many cases elderly people and so are a high-risk population.

COLOMBIA: 845 cases counted in the department of La Guajira, and 11,732 in Bolívar (10 June) which has given rise to concern for the Wayuu communities who live in the area.

BRAZIL: 131,000 cases counted in the state of Pará, where the Vale company’s operations are located in Parauapebas (up to 7 July), while Itaoira, in the State of Minas Gerais, recorded 361 cases up to 4 June, of which more than half are mine workers. It is estimated that up to 11 July more than 8,000 indigenous people from the Yanomami community living in the Amazon have been infected by Covid-19 and 184 have died. The Yanomami territory is still being invaded and destroyed by illegal gold mining, which endangers the last tribe to live in relative isolation in the Amazon.

ECUADOR: The number of infections in communities is not known up to 7 July.

BOLIVIA: On 14 July, infections were bordering on 50,000. It was also found that cases were rising in areas under the influence of mining towns, as in the case of Huanuni, which reports a total of 288 cases, with Challapata reporting 41. This mining town is located in the department of Oruro > According to monitoring by the Centre for Autonomous Territorial Planning (CPTA) from the Centre for Legal Studies and Social Enquiry, up until 22 May, 46 indigenous territories in Bolivia were identified as at risk of contracting coronavirus as they border 23 municipalities which already had 1,101 cases.

ARGENTINA: The province of Jujuy, where the company Exar is developing operations, recorded 335 cases to the date of 10 July.

CHILE: places with large scale mining developments have been heavily affected. The city of Antofagasta recorded that 0.8% of the population was infected with Covid-19, followed by Calama (2.85%); Pozo Almonte (3.1%); Tierra Amarilla and Copiapó (0.28%); and Los Andes (0.8%). A report carried out on 10 July indicates that the region of Antofagasta has 11,267 cases and the region of O’Higgins has 8,069 cases. The cities most affected are Calama and Rancagua with 4,667 and 4,160 cases respectively.

PERU: Areas of mining activity with the highest number of infections up to 10 July were La Libertad with 11,629 cases and Áncash with 9,286, where one miner died. The miner was linked to the operations of the Antamina company, whose shareholders are BHP Billton (33.75%), Glencore (33.75%), Teck (22.5%) and Mitsubishi (10%). In Cusco, where the Antapacca mine, belonging to the mining giant Glencore, is located, there has been a total of 2,125 cases. In Callao, 18,221 cases were found. It’s important to note that the mining operations present in this area belong to the South African company Impala, which had to cease its operations in the Limpopo province in South Africa, which shows that companies are not adequately executing health and safety protocols. Either that or these procedures are simply of no interest as it’s more important to them to keep mineral extracting operations going than to protect the health of their workers and their families. In Ica, where the Marcobre mine operates, a subsidiary of the Minsur company (60%), 9,140 cases of Covid-19 have been registered. In Puno, where Minsur also operates cases are at 1,135. Lima has recorded 162,219 cases, Arequipa 8,496, Moquehua 1,254, Junín 4,890, Piura 18,394 and Puno 1,135.



**INTRODUCTION**

**Report nº 2**

In the face of the imminent economic crisis forecasted post-Covid-19, governments and companies are trying to bolster the idea that mining is one of the most important avenues for reviving the economy.

This position is paradoxical if we take into account that, in the context of a pandemic – which is yet to know its end date, if it has one – many companies have refused to suspend their activities, or have even pressured the authorities to avoid their suspension, even when the Covid situation made this clearly necessary, with an increase in infections among workers and the risk this posed to their families, their communities of origin and those near to mining sites.

This provoked conflicts between mining companies and mine worker organisations who, given the absence of responsible government regulation, have had to demand appropriate contingency measures, leading them to ask for the suspension of activities in some cases.

In this vein, the objective of this second report from OCMAL’s Monitoring Network on mining and Covid-19 is to show how mining companies have taken advantage of the context of the pandemic in Latin America to benefit from the general restrictions and lockdowns imposed by each country in the region.

We are interested in putting into perspective the measures that specifically benefit the mining industry, through environmental permits and extensions, facilities for operating, tax breaks and the relaxation of due payments.

In addition, we reveal the narratives of the main players involved in each country’s mining sector, as well as the levels of investment and production, in the context of the pandemic, that generate dividends for mining companies.

Finally, in this report we also include an item on the actions that communities have taken to oppose and resist, in a situation which has created favourable conditions for mining and has facilitated the control and criminalisation of public protests.

The Latin American territories will eventually have to confront the intensification of mining activity in a climate of higher adversity, where we can observe an increase in social conflicts and greater criminalisation amid growing militarisation and police control in accordance with new health care regulations.

We have already seen, in Global Witness’s annual report for the year 2019, that this year had the highest ever number of people killed for protecting their territories from environmental devastation. 212 land and environment defenders were killed in 2019, the biggest yearly toll recorded.

Most worryingly, two thirds of all of these murders happened in Latin America, which has been the most affected region since 2012.

The country with the most deaths globally is Colombia (64), followed by the Philippines (43), Brazil (24), Mexico (18), Honduras (14), Guatemala (12), Venezuela (8), India (6), Nicaragua (5) and Indonesia (3).

Thus, seven of the ten countries with the most deaths are in Latin America, while Honduras, Colombia, Nicaragua and Guatemala top the list of countries according to murders per capita.

The most lethal sector is that of mining and the extractive industries. Consequently, in accordance with these indicators, the increase in the imposition of mining projects points to an intensification of social conflict in the short and medium term.

From this perspective, we get a picture of Latin American countries where, in line with the dynamics of each country, different elements of this are made visible to differing extents.

Nb: the information shared was provided by various organisations that are part of and/or collaborate with the OCMAL network.



BRAZIL

**General restrictions**

States and municipalities took measures to restrict the activity of certain establishments in order to prevent gatherings (bars, clubs, stadiums, etc.). Wearing a mask and hygiene standards were made obligatory.

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| Lockdown measures | There were none |
| Specific measures to benefit mining | **Environmental licences and extensions**: promotion of the relaxation of environmental legislation, the weakening of institutions and the dismantling of policies to protect the environment and the rights of traditional peoples and communities.  **Facilities for operating**: mining was considered an essential activity by an Order from the Ministry for Mines and Energy on 28 March 2021. A short time after, the federal government reaffirmed the classification of this activity as essential through Presidential Decree 10.329/2020.  The National Mining Agency (ANM) launched the so-called Lavra Plan, which consists of modernising the procedures of the user guide and the procedures for the approval of the final investigation report. With it, the capacity for the ANM to control the activities of mining companies is reduced, as are regulations in environmental matters, with the support of the Organisation for Cooperation and Economic Development (OCDE). |
| The narrative of those involved | **Ministry for the Environment**: During a ministerial meeting that took place in April 2020, Ricardo Salles (the minister) said that the government should take advantage of the period in which attention is focused on Covid-19 to “advance and change the whole programme and simplify regulations”.  **The Vale company**, the biggest mining company in Brazil, took advantage of the health crisis to promote its own whitewashed image (dirtied by the two huge tragedies of the collapse of the dam in Minas Gerais), through a publicity campaign of donating Covid-19 testing kits.  **Ministry for Mines and Energy**: Bento Albuquerque (the minister) announced that the government is working on an agenda to stimulate economic activity through “the relaxation of criteria to carry out mining activity in border areas, the inclusion of exploration for remineralisation materials in the system of licencing or authorisations and concessions, as well as other initiatives that broach the subject of environmental licences in the area of mining”. Furthermore, he mentioned that “what we hope is to define and modernise policy in the sector. We want to begin a new chapter after the pandemic”.  The Special Rapporteur of the United Nations gave a presentation to the UN Council of DDHH on the human rights implications of toxic and harmful waste, with a report on her visit to Brazil which took place in December 2019. The agenda of the visit included territories affected by extractive operations. The report is consistent and recommends an international investigation into the setbacks in environmental policy and human rights in Brazil. |
| Investments and mining production | The Canadian firm Sigma Lithium Resources obtained financing of US$45 million for its lithium project, Grota do Cirilo, in the Brazilian state of Minas Gerais. Sigma Lithium signed an agreement for funding of US$45 million headed by the Societe Generale bank. This amount is on top of a pre-payment of US$27 million undersigned by Mitsui & Co. The capital expenditure of the project is estimated to total US$74 million. |
| Community action | Indigenous Brazilian people blockade an Amazon road in protest. On 17 August 2020, indigenous kayapó mekragnoti people indefinitely blockaded an important road in the Amazon in the Brazilian state of Pará (north), demanding more help against the effects of the Covid-19 pandemic, as well as the end to deforestation and illegal mining in their areas of residence.  Communities and civil society organisations continue their monitoring activities over the environmental permit processes for mining projects, despite the limitations to civil society’s participation in the decision-making forum.  Protests in Brumadinho, Minas Gerais, following the insufficient reparation and impunity measures for crimes related to the collapse of the Vale debris dam. There were also mobilisations to keep search operations going for victims who have yet to be found.  There were also protests against the concession of an environmental permit for a Mineração Geral do Brasil (MGB) project in Parque Estadual Serra do Rola Moça. The Comitê Nacional em Defesa dos Territórios Contra Mineração (National Committee in Defense of Territories Against Mining) is monitoring the use of the resources of mining royalties which are called ‘Compensação Financeira pela Exploração de Recursos Minerais’ (CFEM), or Financial Compensation for the Exploration of Mineral Resources. We should also highlight initiatives from the organisation PACS (Politicas Alternaticas para o Cone Sul – Political Alternatives for the Southern Cone) on the impact of mining on women, with special mention for their debate cycle “Mulheres Territórios de Luta” (Women Territories of Struggle).  The “¡Mineração não é Essencial, a Vida Sim!” campaign (Mining is not Essential, Life Is!), which is run by a group of networks and organisations, also deserves recognition. |



COLOMBIA

**General restrictions**

On 12 March 2020, the Ministry for Health and Social Security brought in Resolution 385, initially declaring a public health emergency throughout the country until 30 May 2020.

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| Lockdown measures | On 13 March 2020 the land and river border with Venezuela was closed from 14 March to 30 May 2020 (Decree 402). On 16 March 2020 the land and river borders with Panama, Ecuador, Peru and Brazil were closed from 17 March to 30 May 2020 (Decree 412). On 16 March 2020, the Ministry for National Education (MEN) modified the school calendar and academic jobs were resumed until 20 April 2020. The MEN directive set out to develop processes for education to happen virtually from home (Circular 020). On 17 March 2020, the Ministry for Health and Social Security suspended events of more than 50 people (Resolution 450).  The Ministry for Health and Social Security ordered the closure of gaming, leisure, entertainment and commercial establishments, as an obligatory and preventative sanitary control measure throughout the national territory. Home deliveries and online commerce are permitted (Resolution 453).  The Ministry for Health and Social Security set out preventative isolation for the over-70s from 20 March 2020 until 30 Mary 2020 (Resolution 464).  On 18 March 2020, temporary measures were announced enabling the president to issue regulations in matters of public order in the nation’s territory. In addition, it was announced that these will be applied preferentially to the provisions of regional and local governments (Decree 418).  Until 20 March, with Decree 439, passengers arriving by air from abroad were no longer permitted to disembark with the intention of entry or connection with the Colombian territory. On 6 May 2020 preventative, obligatory isolation was brought in from 11 May to 25 May 2020 (Decree 636). |
| Specific measures to benefit mining | **Environmental licences and extensions**: through Decree 440 of the 20th of March 2020, emergency measures were adopted for government contracting. This meant public forums were established virtually. This originated in memo number 9 from the Ministry for Environment and Sustainable Development, in which it was established that public forums would be carried out virtually, despite the fact that access to such technology is very limited in Colombia. In addition, it sponsors maintaining new applications related to environmental processes. In the case of environmental management and monitoring, this will need to be documented. However, often this information is submitted by those who are responsible for the impact to the environment. There is no regulation of this in the approval procedures and processes for these projects.  **Facilities for operating**: Decree 531 of the 8th of April 2020 sets out the exemption from lockdown those activities that are strictly necessary in the operation and essential maintenance of the mines, which by the nature of their productive process need to carry on uninterrupted. In order to loosen and accelerate environmental processes in the energy mining sector, The National Authority for Environmental Licences (ANLA), together with the Mining-Energy Planning Unit (UPME), are establishing in the framework of contingency strategies the creation of joined up planning to benefit the sector.  Relaxation of payments: Decree 766 of the 29th of May 2020 adds tax reduction to the fiscal reform, due to the potential rise in unemployment because of the crisis and the necessary decrease in operations, demanding only 25% of payment of the income for activities such as mining, and the extraction of oil and gas. This tax must be paid on the 1st of June. Decree 465 of the 23rd of March 2020 stipulates on water concessions, permitting exceptional exploration of underground water and widening payment terms for the use of water rates. Many mining companies pay this tax for the use of water in their operations. |
| The narrative of those involved | **Colombian Mining Association**: Juan Camilo Nariño (president of the association) assured that its project located in Santander and Antioquia “will be able to be poles of development post-Covid”.  **The Colombian Government**: Marta Lucía Ramírez (vice president) highlighted on 3 September that the mining sector will be key to the reactivation and powering up of the country’s economy in the face of the crisis generated by coronavirus. |
| Investments and mining production | New projects coming into force in key minerals such as gold and copper will put the sector in a leading role in economic revival. Some of them are Continental Gold, which is coming to the end of its construction phase, Gramalote, Minesa, Quebradona and Marmato. These could generate $5billion in investment and 28,000 jobs. |
| Community action | Government proposed holding public forums online, with a memo set out by the environment ministry on how to do this in environmental terms. There have been virtual protests to halt the limitation of participation in environmental matters, above all that related to large-scale mining-energy projects. |



CHILE

**General restrictions**

On the 18th of March 2020, with Decree 104, the government declared a constitutional 90-day State of Emergency for catastrophe due to public disaster. In a nutshell, this meant restrictions to freedom of movement and a curfew from 10pm to 6am was announced. The State of Emergency was then extended in the month of June. In September, supreme decree 269 was announced, extending it by 90 days from the end date of the extension declared in June.

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| Lockdown measures | **Aysén Region:** dynamic quarantines and quarantine lines were put in place from 13 March. From 26 March the **Metropolitana Region** brought in a quarantine in the areas of Independencia, Las Condes, Lo Barnechea, Ñuñoa, Providencia and Santiago.  **National territory:** a territorial division was put in place between different regions, but in many cases internal movement carried on at a very high level. |
| Specific measures to benefit mining | **Environmental licences and extensions**: the Office for Sustainable Project Management (GPS) was created, a body independent from the environmental institutions, tied to the Ministry for the Economy, whose objective is “to unfetter”, and even in the words of the government “to make less bureaucratic”, driven by various extractivist projects linked to mining, energy and infrastructure, among others. The goal is to gain approval of the stalled projects within a year. The government set out a reform to the System of Evaluation of Environmental Impact (SEIA), whose main objective is to award – once again – better legal assurance for projects of investment.  **Facilities for operating**: during the pandemic, mining was declared an activity that inherently could not stop, given that any interruption could create disruption to the normal functioning of the country’s economy.  The Ministry for Mining awarded a unique collective permit to keep mining work going. Subsequently, this activity was considered a public service, giving way to these same companies managing the corresponding safety measures for transit through the quarantine lines which were implemented in the context of pandemic response measures. |
| The narrative of those involved | **Ministry for Mining**: Baldo Prokuricae expressed that mining would be the activity that would sustain and lift the economy in Chile.  **National Mining Society**: Diego Hernández stated that “this crisis has forced us to transition towards the fourth industrial revolution, which gives us the opportunity and forces us to be more competitive, with more modern mining that responds to the challenges of the 21st century.”  **Mining Council:** Joaquín Villarino expressed that “mining will be the motor for economic recovery”. |
| Investments and mining production | In accordance with the Copper Mining Commission (COCHILCO), investments for the 2020-2029 period are made up of 49 initiatives valued at $74.047 million. Despite the health crisis, COCHILCO’s records indicate that in the first months of the pandemic there was no suspension, nor decrease, in activity. On the contrary, in the month of April 2020, CODELCO Chuquicamata extracted 2,300 tonnes, more than in April the previous year. This situation is replicated across the board of CODELCO, which had an increase of 5,200 tonnes, higher than in April the previous year.  Minera Escondida, a subsidiary company of BHP Billiton, the largest mining company in the world, had an astounding increase in production of 11.4% compared to the same date the previous year. |
| Community action | Following approval to carry out more than 300 surveys in the territory of Putaendo, through legal action the population won their application for protection against the Environmental Assessment Service (SEA), which represents a huge victory for the community. Another big triumph against mining extractivism in Chile came in the month of September. After almost 20 years of struggle, the communities of Valle del Huasco achieved the definitive suspension of multinational Barrick Gold’s Pascua Lama project. It was hoped that the company would not resort to a high court challenge to revert the administration’s decision. |



PERU

**General restrictions**

In accordance with Supreme Decree N°008-2020-SA of the 11th of March 2020, a Public Health Emergency was declared on a national scale for the duration of (90) calendar days and measures for the prevention and control of Covid-19 were passed. Measures of prevention and control are decided for ports, airports and inland points of entry, educational settings, public and private spaces, transport and workplaces. These measures were subsequently extended.

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| General restrictions | Social distancing was made mandatory and there were restrictions to the exercise of rights to some freedoms: personal security, the inviolability of the home, and freedom of assembly and of movement, as well as the use of the armed forces. Subsequently, four different phases were established for the revival of economic activity. We are currently in phase 4, although some restrictions are still in place. In addition, states of emergency are still in place in some regions in the country, for example in the area of Condorcanqui, a department in the Amazon, where intervention by the Armed Forces in coordination with the Police Force was authorised. |
| Lockdown measures | Self-isolation was made mandatory with national scale quarantines, and quarantines by regions or departments and provinces in recent months. A curfew was also implemented. |
| Specific measures to benefit mining | **Environmental licences and extensions**: through Ministerial Resolution Nº 147-2020-MINEM/DM of the 2nd of June 2020, the list of administrative procedures corresponding to the mining subsector was approved, whose processes were not subject to the period of suspension established in the context of the health emergency. The procedures included in this list are: (i) granting and modification of benefit concession; (ii) authorisation to begin/restart activities of exploration, development, preparation, exploitation (including the Minado y Botaderos plan) in metal and non-metal mining concessions and modifications; (iii) evaluation of the Mine Closure and Environmental Liabilities Plan; (iv) modifying/updating the Mine Closure Plan or the Mining Environmental Liabilities Plan and (v) evaluation of the Detailed Environmental Plan.  **Facilities for operating**: through Ministerial Resolution N° 135-2020-MINEM-DM of the 12th of May 2020, the first directive health protocol in the energy and mining sector was approved. This directive regulates how health personnel in a workplace will carry out the monitoring of the worker or contractor suspected of being infected by Covid-19. It also amends the risk factors, age and body mass index (BMI), up to people of 66 years of age or with a BMI of 40 respectively. It lays out that mining companies and contractors can only carry out rapid testing of their staff, among other provisions.  The Ministry for Energy and Mines (MINEM) established a series of rulings of exceptional nature for the procedure of authorisation of functioning of the benefit concession and its modification while the health emergency due to the Covid-19 pandemic is in force. The measures, approved by Supreme Decree No. 024-2020-EM, are aimed at the holders who process the authorisation of operation in titling the benefit concession and those interested in requesting their respective modification, says the Muñiz Study. The head of a benefit concession will request authorisation of operation from the General Mining Directive or the regional government, communicating the culmination of construction works and installation of the components of the benefit concession granted or of the approved modification.  Legislative Decree 1500 is a ruling that seeks to adapt environmental procedures in infrastructure projects and public services to the health emergency. It is already being applied by bodies such as the OEFA and the MINAM to all activities in the scope of its competence, including mining and hydrocarbons. One of the problems is that this regulation seeks to replace citizen participation in environmental procedures and auditing with electronic and virtual consultation, which are not accessible to rural populations. It also involves reducing the presence of state agents in the territories. It’s worth mentioning that in terms of labour and security, and health in the workplace, virtual auditing is already being implemented.  The same Legislative Decree 1500 frees the owner of the project from the presence of environmental monitoring and other reporting during the health emergency. Also, exercising your right in this legislative decree and through regulatory rules, the MINAM also frees it from the obligation of collecting primary information for the elaboration of the base line of the environmental management instruments, replacing it with secondary information. This is worrying, given that the study of environmental impact must make predictions of impact and based on this, set out measures to avoid or minimise them. Making predictions with greater certainty requires information that is high quality, complete and up to date. Relaxing the demand can lead to mistakes, leaving a mark on the measures of environmental protection to be adopted.  **Relaxation of payments**: Through the Directive Council Resolution N° 00007-2020-OEFA/CD of the 3rd of June 2020 the regulation entitled "Procedure for postponing the enforceability of the payment of fines imposed by the Environmental Assessment and Enforcement Agency - OEFA within the framework of the National Emergency" was approved. |
| The narrative of those involved | A few days ago, the main business association in the country, the CONFIEP, presented its proposals for reactivating the economy. The document, named “Reactivation Agenda 2020”, falls back on the same old remedies that the CONFIEP raises every crisis: making work more flexible, “unfettering” projects, investing in infrastructure through public-private cooperation, speeding up administrative and environmental processes for mining, reducing the importance of prior consultation, opening up access to gas and ensuring the continuation of oil contracts… |
| Investments and mining production | During the pandemic, the Chinese Embassy has decided to lobby the Peruvian government for the unfettering of mining projects that Chinese companies have in Peru. During a recent virtual event, the Chinese ambassador indicated that his country hopes to count on the support of the Peruvian government to move projects forward, chiefly copper, such as Río Blanco (Piura), Galeno (Cajamarca) and Chinalco (Junín) which all together are worth $7.3 billion.  On the other side, mining companies are trying to insist on seriously questionable projects, such as Tía María, despite its rejection by the population of Valle de Tambo. |
| Community action | Resistance has held ground in Espniar, Valle de Tambo (Tía María project) and in other areas of the country. Also, in the so-called mining corridor of Sur Andino, various communities have been protesting with roadblocks, demanding the sacredness of their rights and that they be recognised as areas of influence from the Las Bambas mining project. The People’s Defence has registered a substantial increase in protest actions in the last few months (they’ve practically doubled), above all in areas with a large mining presence. |



**FINAL COMMENTS**

This second report on mining and Covid-19 from the OCMAL Network provides reasonable insight into the ways in which mining companies have taken advantage of the context of the pandemic to benefit themselves.

Through the specific measures to benefit mining, the conditions have been created for environmental permits, extensions, or authorisations of projects to be carried out virtually. In reality, this arrangement has been put in place in most Latin American countries, including Argentina, Bolivia, Colombia, Chile and Honduras, despite the fact that this disadvantages the people and communities most affected given that in many cases they can’t find out about these proceedings due to inequalities in access to the internet and use of online tools.

In other cases, the image of “sustainable mining” was promoted to justify propping up this area of work, as seen in Panama. In Chile a special office was created with the objective of “de-bureaucratising” stalled extractive projects, while in Venezuela, we have seen more improvised strategies that don’t necessarily come from government policy, but which are rather linked to private interests.

In relation to the facilities provided to their operations, in most countries mining was explicitly considered an essential economic activity. While operations were limited or restricted at the beginning of the pandemic, from May and June changes were made to decrees, resolutions or agreements (depending on the country) to get the sector going again, as seen in Argentina, Bolivia, Colombia, Ecuador, Mexico, Panama and Peru.

There were also some cases where there were no restrictions, as in Brazil, Chile, Nicaragua and Venezuela. Here, it was left to some companies or to the unions to demand better management of the situation to reduce the risks and exposure that mine workers were subject to. We have seen governments facilitating mining in various ways, from putting out legislative reforms to using the armed forces to guard and protect mining operations, such as in Ecuador.

In Brazil, the pandemic was used to advance the deregulation of mining, through actions aimed at weakening institutions and dismantling the policies put in place to protect the environment, as well as policies that safeguard the rights of indigenous people and communities.

In Chile, the Environmental Impact Evaluation System was modified to give greater legal assurance to investment projects. In Colombia, they also pushed forward with making virtual processes quicker and more flexible, while in Peru, legal initiatives were carried out to reform and replace the mechanism of public participation in environmental processes.

In all cases, governments acted in favour of mining, representing considerable benefits for those who control the mining activity in each country, and creating greater conditions of vulnerability and reduced legal protection for those defending their territories.

Similarly, tax measures and relaxations of payments were introduced, either on charitable actions or philanthropy such as in Argentina or, in Colombia, by reducing tax payments to cover just 25% of the income from some activities including mining or, in Peru, postponing the payment of fines. One more extreme case was observed in Honduras, where they brought in a reform explicitly aimed at increasing tax benefits for the mining sector.

Governments and mining companies in the region have made efforts to present mining as the activity that will facilitate economic recovery from the impact of the Covid-19 crisis. However, this position represents an opportunistic attempt to continue bolstering mining’s image in the public eye and to assuage claims and demands around environmental damage, which historically is what it has represented for the people of Latin America, above all because the outlook on the economic crisis is still uncertain and because mining, alongside other extractive activities, are a substantial part of the background of this same crisis.

The position of the Mining, Economy and Environment Ministries is in tune with that of the main mining associations, making it clear their discursive strategy to not only be complicit in improving the sector’s image, but to advance its deregulation, taking advantage of the context where most efforts are concentrated on Covid-19, relaxing restrictions and allowing mining projects to go ahead, as was made clear by Ricardo Salles, Brazil’s environment minister.

However, in the narrative of those involved in the mining sector of each country, it wasn’t only the voices of ministers or other people linked to the public sector or to companies which stood out. From Brazil, the United Nations Special Rapporteur on the human rights implications of toxic and harmful waste delivered a report in which they recommend carrying out an international investigation into the setbacks in environmental and human rights policy, exerting a necessary counterpoint to the positions that are trying to liberalise and relax the legal apparatus charged with regulating sectors like mining as much as possible.

Furthermore, in the context of the pandemic some countries saw increased investments in mining. In other cases, the volume of production increased considerably with respect to production the previous year.

In Chile, records from the Chilean Copper Commission (COCHILCO) indicate that because there was no suspension in the first months of the pandemic, there was no decrease in activity. In fact, during the month of April 2020, CODELCO Chuquicamata produced 2,300 tonnes more copper than in April the previous year.

In total, CODELCO increased production by 5,200 tonnes in the same period of analysis.

For its part, Minera Escondida of BHP Billiton, the biggest mining company in the world, increased production by 11.4% compared with the previous year. This shows that, generally speaking, the situation created by the pandemic has been used to benefit mining companies and other actors linked to the sector, to the detriment of the environment and those who live in the towns and communities around mining ventures.

In Nicaragua, the Canadian company Condor Gold was awarded permission without public consultation to develop and exploit the high-grade open-pit Mestiza gold mine in the Santa Cruz community, through actions which involved harassment by government officials and state police.

This is how violations of human rights and violence against people defending their territory have been recorded from Mexico to Chile; with public attention focused on Covid-19, they have been left even more vulnerable to the advance of mining companies.

Nevertheless, despite the unequal playing field between people and communities with respect to business owners and governments that promote mining, acts of resistance have persisted, leading to important victories in Mexico where the Canoas community in the municipality of Manzanillo rejected the installation of the Rufus 5 mining project.

In Argentina, resistance has kept up in Chubut and in other areas from Pucará to Catamarca. In Acallapú, Bolivia, they won a NO to company El Buen Samaritano’s proposed mine through public consultation.

In Ecuador, there has been significant progress in the struggle to recognise and exercise the rights of nature.

In Brazil, the fight for justice against the crimes of Vale and BHP in Mariana y Vale en Brumadinho is holding its ground.

While in Chile, after more than twenty years of legal battles, an important victory was won against Barrick Gold, one of the world’s largest and most powerful companies. In this same country, the Putaendo community has managed to halt the opening on the Canadian Vizcachitas mine.

From this vantage point the outlook is grave, but at the same time encouraging, as even if the mining industry keeps up its offensive, the people and communities are also holding their ground throughout Latin America in the defence of their territory through communal care and a sustainable relationship with nature. This opens up a stream of learning that we must appreciate and put into practice, recovering the wisdom, knowledge, strategies and actions that people and communities have deployed during the pandemic to resist and to re-exist.