



Conflict Factsheet

Water Conflict over Acueducto Independencia in Mexico

Type of conflict Main	Intensity 1.5
Conflict Locality Central America	Time 2010 –ongoing
Countries Mexico	Resources Water, Ecosystem Stability

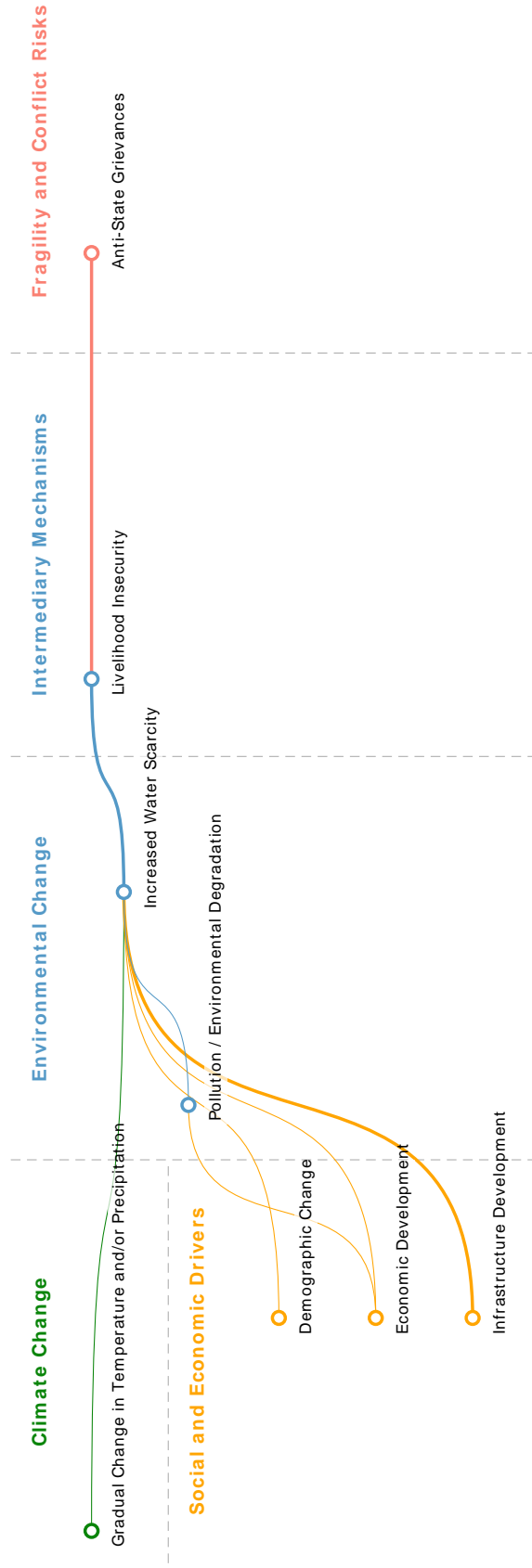


Conflict Summary

In 2010, the planning and construction of a new aqueduct sparked protest and political unrest among various stakeholders. However, this unrest was especially prevalent among the affected indigenous Yaqui communities, which are in competition for scarce hydrological resources in the region. Unrest among state and federal government, citizens, industry, farmers and indigenous Yaqui communities has translated into protests, highway blockages and arrests. To date, attempts to settle this unrest through communal or international courts and agreements have not succeeded.



Conceptual Model



Context Factors



Water, Ecosystem Stability





Conflict History

Economic growth and water scarcity in the state of Sonora

The Hermosillo basin aquifer is located in the Mexican state of Sonora, which exhibits the most active agricultural productivity in Mexico, despite its low precipitation rates and high soil salinity. Intensive use of the basin for enhanced agricultural production has caused local conflict as larger farms have taken over the majority of the acreage, placing a strain on coastal aquifers and igniting disputes over competing demands. To exacerbate these issues, sea-water intrusion is currently threatening many well fields.

Hydraulic manipulations in other western states near the U.S. border foster population growth, economic development and modernization. Damming, diverting, and drilling have made the Sonoran Desert, which accounts for nearly 40% of the state, a hub for agribusiness and urbanization. Even though the Hermosillo basin aquifer does not straddle the U.S.-Mexican border, a spill-over effect of the 1994 North American Free Trade Agreement (NAFTA) prompted increased production of higher valued fruits for export, and international investors and water-intensive industries increased their activities in the region (Barry, 2014). Most recently, the municipal government of Sonora decided to further expand its industrial sector, in particular the water-intensive industries of automobiles and beverages.

Water stress in the region has increased and will continue to increase due to the effects of global climate change, irreversible water resource depletion for domestic and agricultural purposes, increasing water intensive activities and the demands of a growing population. Even more environmental problems arise from the contamination of fresh water due to sewage and toxic waste disposal into rivers, which is often a result of insufficient treatment infrastructure, insufficient environmental governance, and the lack of effective legal frameworks and enforcement.

Recent hydraulic projects

In 2010, Sonora's Governor Guillermo Padrés Elías established an executive branch agency called Sonora SI (Integrated Systems). This agency's mission is to oversee new hydraulic projects that will help keep Sonora growing, satisfy demands for more water and solve the acute water shortages in the capital Hermosillo, which is home to almost one third of the state's population. With federal funding from CONAGUA (Comisión Nacional Del Agua -National Water Commission), Sonora SI plans to complete 24 water projects. These projects include new dams, irrigation canals, deep water wells, and the Hermosillo aqueduct (Barry, 2014).

Hermosillo Aqueduct

The Independencia (or Novillo-Hermosillo) aqueduct is currently one of the most controversial projects in the region. Hermosillo residents, construction companies, industries, and stakeholders in agribusiness approved a 150 km long aqueduct that retrieves its water from the El Novilla dam, which is fed by the Yaqui river and its transferal to the Sonora river (Rincón, 2014).

However, the lower Yaqui River basin's long-standing and present beneficiaries strongly opposed the aqueduct, which entails a transfer of 75 million cubic meters of water from the Yaqui River Basin to the sorely depleted Sonora River Basin. The transfer would induce dramatic water scarcity for the riparian communities and cities that are mainly inhabited by the Yaqui tribe, which holds customary water rights



(Naumann, 2014). The 2,000 affected Yaqui families sustain their livelihoods with agricultural activities, and depend heavily on the Yaqui river water (El Universal, 2013).

Mobilisation of the opposition and human rights violations

During the aqueduct planning and construction phase in 2013, strong political and social disputes emerged between the different stakeholders. Roughly 100 protesting lobby groups and local national and international organisations mobilized. Notably, the indigenous Yaquis – predominately composed of agricultural producers – transformed into a militant organization, the “No al Novillo” coalition.

The group staged protests and organized highway blockades. During the conflict’s peak in 2013, these actions obstructed the construction and economic activities of the region (El Universal, 2013). Even though federal orders were issued to desist from building and operating the Independence Aqueduct, the Sonoran government is reported to have repeatedly ignored these orders under pressure to satisfy international automobile and beverage industry investors. The Alliance for Global Justice and Tucson also demanded the repeal of NAFTA and the defeat of the Trans Pacific Partnership (TPP), which includes the NAFTA signatories, as they view neoliberal trade agreements as prioritizing transnational corporate profits over ecosystems and the rights of indigenous peoples (Naumann, 2014).

In September 2014, a Yaqui environmental activist was jailed for arbitrary reasons while preparing to bring the case of the Yaqui people to the Inter-American Commission for Human Rights. The charges against him stemmed from an incident earlier that year in which the tribe jailed an individual and impounded his vehicle for intentionally driving into a group of protestors peacefully assembled to demonstrate against the water issue (Naumann, 2014). The traditional authorities took full responsibility for the arrest and presented the documentation of their decision-making and of their tribal right to exercise community justice.

In addition to indigenous tribe representatives and regional organizations such as the National Indigenous Congress and the Zapatista National Liberation Army, many local, national and international NGOs became involved in the conflict.

The disputes have become labelled the “Yaqui Water War”. And despite numerous official agreements, resolution has not been achieved. Moreover, the disputes have raised questions about the sustainability of Sonora’s hydraulic plans as well as about the political viability of new intentions to further manipulate the state’s increasingly scarce water supplies.

Resolution Efforts

Traditional Yaqui water rights

A treaty signed in 1937 guarantees Yaqui authorities 50 percent of the Yaqui River’s water. This right was upheld in 2013 in a Federal Supreme Court ruling. Orders issued at federal Mexican court level to cease constructions have so far been ignored by the Sonoran government while there are outstanding charges of corruption against the governor (El Universal, 2013).

Moreover, Mexico is a signatory country of the 1992 Rio Declaration of the United Nations Conference on the Human Environment. Principle 10 promotes general public access to government environmental



information, the participation of the citizenry in environmental decision-making, and enforced legal channels for environmental rights abuses (Naumann, 2014).

Various agreements and no conflict resolution

In January 2014, an agreement between the Yaqui tribe and the federal government was signed saying that water was only to be extracted if the city of Hermosillo enters a state of water emergency. Furthermore, it was agreed that technical criteria are to be revisited while hydrological alternatives are studied in the region to end the seething conflict.

However, one month later, the authorities were accused of breaching the agreement through unconditioned water extraction; however, to date, the charges have not been considered by the federal authorities. This absence of action is also apparent in the lack of consideration of alternatives to the aqueduct, presented by the Movimiento Ciudadano por el Agua (¡No al Novillo!). These presented alternatives included desalination systems as well as initiatives to increase water use efficiency and to identify adverse effects and irregularities of the Independencia aqueduct. Studies suggest that these efforts would incur lower costs than those by the aqueduct or the remodelling of the existing leaking pipes (Rincón, 2014).

In the case of the arrest of the environmental activist in 2014, the International Foundation for the Protection of Human Rights Defenders deemed the arrest unjust because his action was in accordance with the practices and customs of the tribe. Indigenous autonomy, as well as the right of indigenous peoples to the use indigenous legal systems to resolve intra-community disputes, is recognized in Article 2 of the Mexican Constitution (Human Rights Defenders, 2014).

Finally, several dialogue events were initiated by the state government but none produced meaningful conflict settlement. The lack of robust dialogue and consultations between the Yaqui communities and the responsible authorities continues to incense affected tribes. The Yaqui community has declared its plan to seek further attention at federal and state level through civil resistance measures such as mega demonstrations and blockages of federal highways (El Universal, 2013)



Intensities & Influences



INTENSITIES

International / Geopolitical Intensity

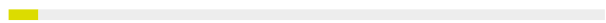


Human Suffering



INFLUENCES

Environmental Influences



Societal Influences



Violent Conflict

Yes



Salience with nation

Regional



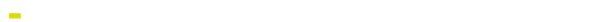
Mass displacement

None



Cross Border Mass Displacement

No



Resolution Success

Reduction in Violence

There was no reduction in violence.

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Reduction in geographical scope

There has been no reduction in geographical scope.

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Increased capacity to address grievance in the future

There is no increased capacity to address grievances in the future.

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Grievance Resolution

Grievances have been completely ignored.

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Causal Attribution of Decrease in Conflict Intensity

There has been no reduction in intensity

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Entry Points for Resilience and Peace Building

Dialogue

Several attempts for dialogue were initiated by the state government but none produced a satisfactory resolution to the conflict. The lack of meaningful consultations between affected tribes and authorities has driven the Yaqui community to set in motion resistance measures such as protests and blockages of federal highways.

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Mediation & arbitration

The IWT established a Permanent Indus Commission conformed of representatives from both India and Pakistan to broker any disagreements between the parties.

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Treaty/agreement

An agreement signed in 2014 between the Yaqui tribe and the federal government established that water would only be extracted if the city of Hermosillo enters a state of emergency. However, authorities have been accused of breaching the agreement.

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Improving infrastructure & services

The Movimiento Ciudadano por el Agua (¡No al Novillo!) presented alternatives to the aqueduct that would incur lower costs according to some studies. These alternatives, however, have not been considered by authorities.

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Resources and Materials

References with URL

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[Nauman, T. \(2014\). Yaqui Tribal Authority's Jailing in Water Conflict Signals Need to Implement Environmental Justice](#)

[Neir et al \(2007\). The peaceful resolution of U.S.-Mexican transboundary water disputes](#)

[El Universal \(2013\). Yaquis dialogarán con Segob por conflicto de agua](#)

[Gilly, A. \(2015\). Sonora, Mexico: The New War Against the Yaquis](#)

Further information

<https://factbook.ecc-platform.org/conflicts/acueducto-independencia-hermosillo>