



Conflict Factsheet

Air and Water Pollution Conflict in La Guajira, Colombia

Type of conflict Main	Intensity 1
Conflict Locality South America	Time 1976 –ongoing
Countries Colombia	Resources Air (Pollution), Water

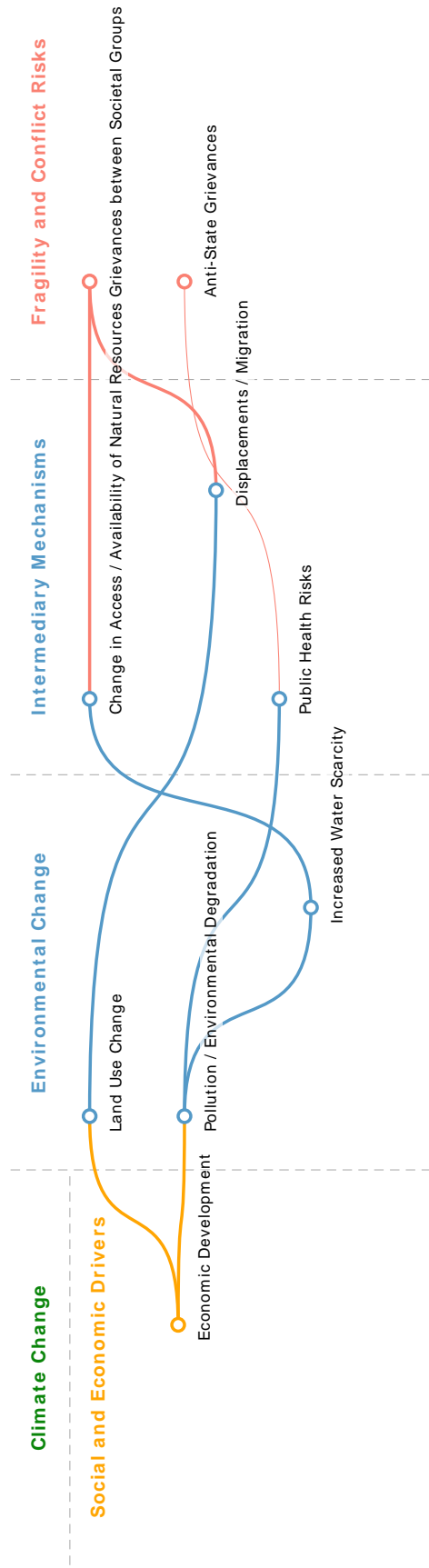


Conflict Summary

In 1976, a contract was signed to allow the extraction of coal in Colombia's Atlantic region. For nearly 40 years, conflicts have persisted between the companies involved in the contract and the Wayuú indigenous people, who have denounced, above all, the disappearance and contamination of their water sources.



Conceptual Model



Context Factors



Air (Pollution), Water



Conflict History

The Cerrejón mine is located in the northwest of Colombia's Atlantic region, in the Guajira department. The Guajira department hosts the country's largest indigenous group, the Wayuú people, which comprises 20% of the nation's total indigenous population. In the mid-1970s, a 33-year association contract was signed between Carbones de Colombia S.A. (Carbocol) and Intercol, an affiliate of the US company Exxon Mobil. The contract consisted of three phases: extraction (1977-1980), construction (1981-1986) and production (1986-2009).

Cerrejón operation

In 1999, an agreement was signed to extend the last phase for another 25 years, to the year 2034. Then, in 2000, under the government's privatization policy, Colombia sold the Carbocol Company to the Billiton Plc UK mining group, South African Anglo American Plc and Swiss Glencore International AG; these companies comprise the [Cerrejón North Zone consortium](#). After the contract was signed, necessary preparations, such as the conduction of studies and the completion of construction, were carried out to allow for the mining to begin. Among the works constructed during this time were a 150-km railway through the entire Wayuu territory, and Puerto Bolívar, Latin America's foremost coal harbour. Today, the Cerrejón Company is one of Colombia's largest companies and a major driver of the nation's economy.

Environmental damages

According to the Hemera Foundation (2008), one of the most serious environmental problems caused by coal mining is the release of particulate matter into the atmosphere. These emissions expose the public to different contaminants, which can lead to respiratory diseases. The same study also reports and highlights water pollution produced by mining activities. According to Urrea and Calvo (2014), the worst water-related effects include the disappearance of aquifers and the contamination of the aquifers that remain. If this were to occur, there would be an alarming shortage of water supply for local communities. The same study also notes that rivers have been deviated to use water in the mine. These are actions which will seriously jeopardize communities' survival in the future. Currently, the Cerrejón Company has a project pending to deviate the Ranchería River, the region's main river.

Socio-cultural consequences

Further mining activities have affected the socio-cultural fabric of the communities through the eviction and resettlement of nearby populations and the destruction of numerous cemeteries, which have significant cultural and spiritual value for the Wayuú people. Throughout this all, there has been no free, well-informed prior consultation with communities about the company's actions (Urrea and Calvo, 2014). International standards require communities' consent for eviction and relocation, as well as for projects that threaten the physical and cultural survival of communities.



Resolution Efforts

The Cerrejón Company is one of the companies that are assisting in the development of the United Nation's guiding principles about companies and human rights (Cerrejón, 2014); however, these guiding principles have been deficiently enforced in the Guajira region to date. By contrast, the Wayuú communities have promoted resistance to mining activities, appealing to national and international public opinion.

Legal actions of the Wayuú Women's Strength Organization

The Wayuú Women's Strength organization, for example, carried out studies on the socio-environmental impacts of mining activities in their territory. The group has also presented a series of appeals to the Standing Tribunal of the Peoples in Colombia and the National Consensus-building Group, demanding indemnity, compensation and reparations for the damages caused (Hemera Foundation, 2008).

The Wayuú people's claims

The Wayuú people are demanding that the Company publicly acknowledge the adverse environmental impacts of mining, and also that it commit to reaching agreements with negatively affected communities in order to compensate them for detriments caused by mining activities and to establish actions to mitigate potential future impacts. They also demand that the Company implements a protocol for dialogue, consultation and participation by communities when making decisions that affect them. This protocol must be coherent with the international standards established in ILO Agreement No. 169, the United Nations Declaration about the Rights of Indigenous Peoples and the recommendations by special United Nations mechanisms for the indigenous peoples (Berraondo, 2014).



Intensities & Influences

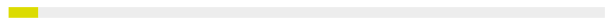


INTENSITIES

International / Geopolitical Intensity



Human Suffering

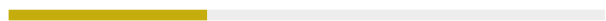


INFLUENCES

Environmental Influences



Societal Influences



Violent Conflict

No



Salience with nation

National



Mass displacement

Less than 100.000 and less than 10% of the country's population are displaced within the country.



Cross Border Mass Displacement

No



Resolution Success

Resolve of displacement problems

Displacement continues to cause discontent and/or other problems.



Reduction in geographical scope

There has been no reduction in geographical scope.



Increased capacity to address grievance in the future

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



Grievance Resolution

Grievances have been mostly ignored.



Causal Attribution of Decrease in Conflict Intensity

There has been no reduction in intensity





Entry Points for Resilience and Peace Building

Mediation & arbitration

2

After conducting a study on the socio-environmental impacts of the mining activities in their territory, the Wayúu Women's Strength organization submitted a series of appeals to the the Standing Tribunal of the Peoples in Colombia and the National Consensus-building Group, demanding indemnity, compensation and reparations for the damages caused.

Social inclusion & empowerment

1

While the Cerrejón Company is involved in the development of the United Nation's guiding principles about companies and human rights, it has not adhered to such guiding principles in the Guajira region.

Resources and Materials

References with URL

[Fundación Hemera \(2008\). La batalla de los wayuú frente a la guerra y las transnacionales: Para la Guajira de las transnacionales y los megaproyectos el Pueblo Wayuú sale sobrando](#)

[Urrea, D., Calvo, I. \(2014\). Conflictos socio - ambientales por el agua en La Guajira.](#)

[Cerrejón \(2014\). Política de Derechos Humanos](#)

References without URL

Berraondo, M. (2014). El difícil reto del resarcimiento de daños y la mitigación de impactos en la Guajira Colombiana.

Further information

<https://factbook.ecc-platform.org/conflicts/air-and-water-pollution-conflict-la-guajira-colombia>