



Conflict Factsheet

Barro Blanco Dam Conflict in Panama

Type of conflict
Main

Intensity
3

Conflict Locality
Central America

Time
2010 –ongoing

Countries
Panama

Resources
Agricultural / Pastoral Land, Water

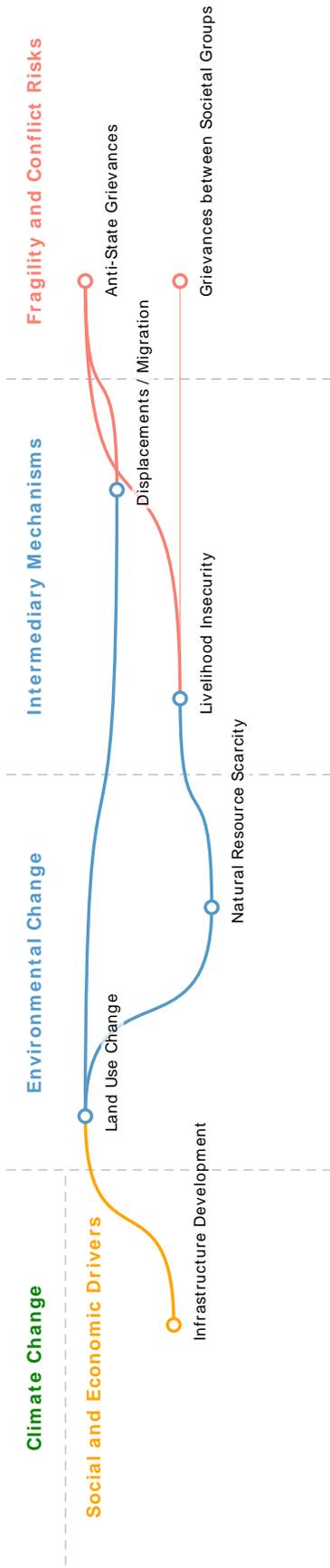


Conflict Summary

The Barro Blanco hydroelectric project has been rejected by the communities of the Ngäbe-Buglé indigenous peoples and by environmental organizations. It is one of the 37 hydropower projects concessioned in this country, according to official data from the National Public Services Authority of Panama (ASEP, 2014). Despite a lawsuit with the Supreme Court of Justice (2011), authorities have granted permits to continue project construction, considering it in the public interest and urgent. For the indigenous people, this violates their rights, by taking away their ancestral land for this project. The conflict is currently scaling up due to the judicial process in which indigenous leaders are being sued by the Generadora del Istmo S.A. building company (GENISA) for the violent actions taken in February 2014.



Conceptual Model



Context Factors



Agricultural / Pastoral Land, Water



Conflict History

The Barro Blanco hydroelectric project is being built by the Generadora del Istmo S.A. company (GENISA) on the Tabasará River, Tolé district, in the eastern part of Chiriquí province in Panama. The construction gave rise in June 2010 to a series of violent confrontations between the national Government and the Ngäbe-Buglé indigenous peoples. This was triggered by approval of [Law 30 of 2010](#) which reduced requirements for environmental impact studies in projects of this nature and eliminated citizen consultation. This provoked enormous opposition and discontent in broad societal sectors, above all among indigenous peoples, leading to demonstrations and violent protests.

Lack of public consultation

The project's Environmental Impact Assessment (EIA) was challenged by the Environmental Advocacy Center (CIAM) in 2011 before the third division of the Supreme Court of Justice, for its lack of any appropriate public consultation with adjoining communities belonging to the Ngäbe Buglé territory. Indigenous leaders said the Barro Blanco reservoir would directly affect 270 persons living near the Tabasará River basin and another three thousand indirectly who depend on the river for various activities. From 2010 to 2014, the conflict's mishandling has led to several violent crisis situations.

Discussion attempts

On 25 January 2012, when violence intensified, the government decided to set up a dialogue, and the indigenous party requested involvement of the United Nations Human Rights Rapporteur, along with other parties, as observers and guarantors of this process. The main focus of the discussion, centered on use of water resources in and around their territory reached no agreement. On 1 March 2012, there were new confrontations outside the National Assembly building between Ngäbe-Buglé indigenous people and internal security staff of the legislature, due to a demonstration demanding justice for the death of two comrades and the release of dozens of community members arrested in the violent actions in January and rejecting the hydropower projects pursued by the government.

The United Nations as facilitator

To resume dialogue, Ngäbe-Buglé representatives proposed a move to San Félix, whereas the government suggested moving the dialogue to the Catholic Church headquarters in the capital city. On 2 March 2012, the parties accepted the invitation by the Office of the Resident Coordinator of the UN in Panama to resume discussions at UN headquarters in Panama City. Further, the parties requested for the UN to facilitate the process.

Tensions remain

Despite the agreements and certain actions that were taken (see Conflict Resolution), in February 2014 the indigenous protested violently in "resistance" and disagreement with the negotiations over the Tabasará River basin. The GENISA S.A. building company brought a criminal-law suit against the leaders for jeopardizing the hydropower project's construction machinery and trespassing on private property. Ngäbe leaders were summoned this November (2014) by the multi-discipline municipal judge of Múna, and notified in a public ceremony held in the community of Alto Caballero. The public notification in their own community was perceived by the indigenous as "persecution" and they refused to appear to make statements.



Resolution Efforts

UN facilitator team

In 2012, the role of the UN in Panama as a facilitator entailed quickly organizing a team comprising the Office of the United Nations Resident Coordinator in Panama, the Representative for Central America of the United Nations High Commissioner for Human Rights and specialists from the Regional Democratic Dialogue Project of the United Nations Development Program (UNDP) Regional Center for Latin America and the Caribbean. This facilitator team also received support from the environmental team of the UNDP Regional Center and the country office, to advise them on technical issues and coordinate organization and logistics.

Dialogue meetings

Several dialogue meetings were held, resulting in the formation of two sub-groups to better focus on discussion topics: one to jointly draft a new Article 5 for Law 415 about mining concessions in the Ngäbe-Buglé land; and the other to review the Barro Blanco hydroelectric project. On 15 March 2012, the first group reached an agreement among the parties regarding an article that was submitted to the Assembly and unanimously approved. The other group reached a procedural agreement to jointly investigate in order to viably address the conflict over the Barro Blanco project.

UN acknowledgement of the lack of consultation

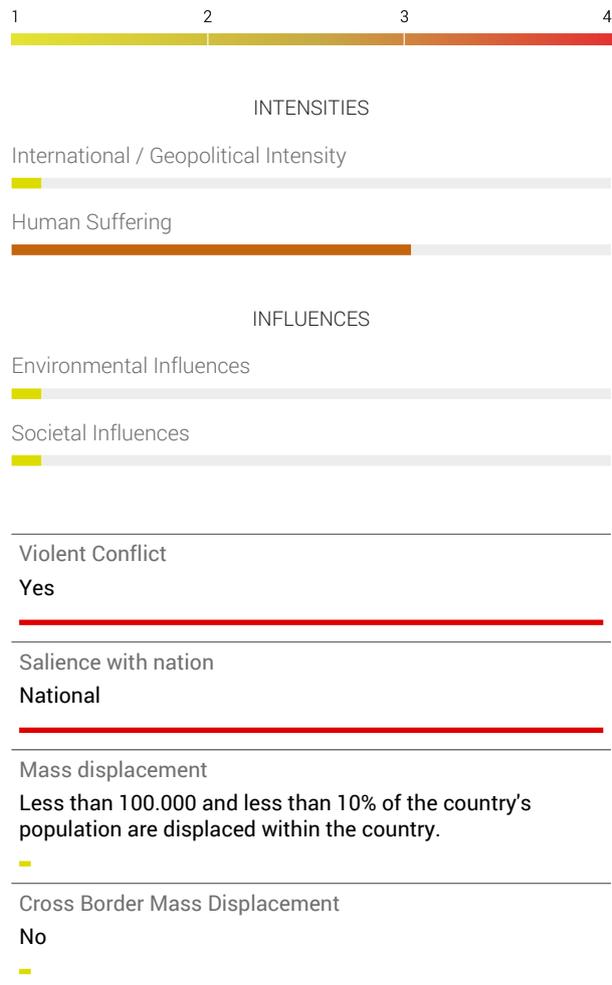
The group reviewing the hydroelectric project had experts conduct a technical study of the zone up to the altitude of 103 meters (the reservoir's water line) around the indigenous territory. These specialists were engaged by the United Nations to contribute impartial information to the dialogue. In their report, they stated that "the failure to adequately conduct the consultation about the Barro Blanco project has created a situation of fear and extreme anxiety among local people. The direct and indirect impacts have not been clearly explained and certainly may affect the community, so they must be mitigated" (UNDP, 2013).

Dam construction shelved

The report backed the indigenous position, and they resumed pressure, holding sit-ins outside the project, to which the security forces responded to protect the facilities. By late 2014, construction was 64% complete and the GENISA Company has stated that they will abide strictly by the Constitution and the Law in continuing. The situation suddenly changed on February 10, 2015 as the National Environmental Authority (ANAM) of Panama temporarily shelved the construction of the dam for non-compliance with environmental and human rights (IC Magazine, 2015).



Intensities & Influences



Resolution Success

Reduction in Violence

Violence has ceded completely.

Reduction in geographical scope

The geographical scope of the conflict has decreased.

Increased capacity to address grievance in the future

The capacity to address grievances in the future has increased.

Grievance Resolution

Grievances have been mostly addressed.

Causal Attribution of Decrease in Conflict Intensity

Conflict resolution strategies have been clearly responsible for the decrease in conflict intensity.



Entry Points for Resilience and Peace Building

Mediation & arbitration

3

After indigenous leaders requested the involvement of the United Nations Human Rights Rapporteur in dialogue meetings in 2012, the UN in Panama organized a facilitator team. Several dialogues were held with moderate success. Specialists engaged by the UN conducted an impartial technical study that backed the position of indigenous groups by confirming that no consultations with affected communities were conducted. In 2015, the National Environmental Authority (ANAM) of Panama temporarily shelved the construction of the dam for non-compliance with environmental and human rights.

Resources and Materials

References with URL

[Ciel \(2015, February 10\). Press release, IC Magazine.](#)

[ASEP \(2014\). Concessions granted for hydroelectric power plant Design and/or Construction](#)

[Law 30, National Assembly, enacted on 16 June 2010](#)

[UNDP \(2013\). Independent Expert Report on the Barro Blanco Dam, Panama: Consolidated Executive Summary. 5 September 2013.](#)

Further information

<https://factbook.ecc-platform.org/conflicts/barro-blanco-dam-conflict-panama>