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# **Rethinking environmental peace- building in the context of resource extraction in Colombia**

Juliana Sporsheim Maisto  
International Environmental Studies



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[juliana.sporsheim.maisto@nmbu.no](mailto:juliana.sporsheim.maisto@nmbu.no)

Noragric  
Department of International Environment and Development Studies  
P.O.Box 5003  
N-1432 Ås  
Norway  
Tel.: +47 64 96 52 00

## **Declaration**

I, Juliana Sporsheim Maisto, declare that this thesis is a result of my research investigations and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature.....

Date.....

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*"Living nonextractively does not mean that extraction does not happen: all living things must take from nature in order to survive. But it does mean the end of the extractivist mindset— of taking without caretaking, of treating land and people as resources to deplete rather than as complex entities with rights to a dignified existence based on renewal and regeneration. [...] most of all, living nonextractively means relying overwhelmingly on resources that can be continuously regenerated: deriving our food from farming methods that protect soil fertility; our energy from methods that harness the ever-renewing strength of the sun, wind, and waves; our metals from recycled and reused sources."*

*— Naomi Klein*

*(This Changes Everything: Capitalism vs. The Climate)*

*"Megaprojects are wrong not merely because huge projects typically fail, leading to environmental and human catastrophe or falling far short of their initial promise, but also because they reflect the twentieth century's underlying hubris: the delusion of an unlimited capacity to remake nature and society and a naive and unwarranted faith in salvation through technology  
- in short, the attempt to be God"  
-Drik van Laak*

## Abstract

In this thesis I seek to explain the links between the governance of resources and the peace process in Colombia. To meet this aim, I explore the role of civil society movements in struggles related to extractive projects in the country.

In a first section of the thesis, I explore how extractive operations tend to reinforce the previous dynamics of violence that inhibit the peace-building process, and explain that the government is purposively leaving out issues related to the extractive sector in the peace agreements. Secondly, I explain the role of civil society movements in contesting extractive projects and in advancing alternative paths for resource governance.

I argue, that in contrast to the official commitment for peace, the alternative agendas on resource governance advanced by civil society movements contribute to the construction of long-term peace in the country. The movements' chief claims include principles of food sovereignty and popular participation. In the chosen case study, which I analyze in the second section of the thesis, I address precisely the significance of a mechanism for popular democracy called *consulta popular*, i.e. local referendum on mining, in relation to “La Colosa” gold mining project. In exploring the significance of *consulta popular* I shed light on the factors that contribute, or not, to its implementation and legitimization. I show that the organization around a *consulta popular* contains some internal frictions, but overall, it unifies the civil-society movements committed in the mobilizations against “La Colosa”. I also explain that state and industry actors oppose the application of *consultas populares* on mining in an authoritarian manner, through legislative changes and threats to individuals.

From my findings, I argue that the increased use of the democratic mechanism of *consulta popular* in Colombia in recent years, represents a local response to contrast the violence of extractive exploitation, and reflects civil society's claims for enhanced social justice along the national process for peace. While the first section of the thesis relies mostly on secondary data, the second section is a result of four months fieldwork conducted in Colombia in 2015. Finally, a theoretical aim of this study is to further an encounter between the fields of resource governance and politics with peace and conflict studies. In particular, the study draws from these fields' critical concepts, which give importance to issues of participation and to sub-national dynamics of governance, and places centrality to the concept of environmental peace-building.

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## **1. Introduction**

The growing global demand for primary commodities in the new century, has given corporate interest new prospects of investments in potential mining regions. This process has been particularly evident in many Latin American countries (Bebbington and Bury 2014). In Colombia, Santos' government has invested heavily in attracting foreign investments in the mining and energy sector, with the aim of boosting national economic growth and to strengthen the country's position in the global market (Sankey 2014). Foreign investments in large-scale mining projects have also been encouraged by the prospects of a more stable political era in the country. Indeed, the government is currently involved in peace negotiations with the FARC, under international supervision. As a result of this significant part of current political discussion, Colombia is now oriented towards preparations for a "post-conflict" era, which is characterized by an extractive economy. However, the rise of investments in large-scale mining projects that characterize the economy of the post-conflict era, is controversial because of the processes of environmental and social degradation that mining activities trigger in the sites of extraction. Moreover, the politics of mining in Colombia tend to reinforce the impacts that an endured violence have had on the social and territorial relations in Colombian territories, on the institutional culture of the country and on the lack of trust between civil society and the state. In this vein, opposition to large-scale extractive projects has been voiced by a broad spectrum of public interests including, communities, national and international NGOs, regional and environmental authorities, professionals and scholars. Large sectors of Colombian civil society not only oppose the state-industry consensus on mining, but also, they advance alternative agendas of resource governance based on principles of food sovereignty and popular democracy. In this regard, this study asks whether the claims from local communities around resources, territories and democracy, represent alternative paths to the governance of resources, which contribute to an unofficial peace-building process in the country.

A peculiarity of the socio-environmental conflicts and popular contestations related to resource extraction in Colombia, is the implications of the extractive economy on the prospects for long-term peace. There are a series of concerns about the social impacts of mining that would inhibit the process towards the peace. Those include territorial and cultural dispossessions, displacements and changes in traditional economic activities. During a march I was part of, a banner contained the following message which expresses a general claim of civil society movements: “*Fighting for water and fighting for life, means also fighting for peace with social justice*”. The values of social justice are also contained in the rhetoric of the official peace agreements on the links between a sustainable economy and peace-building, as defined by the ‘general agreements’. However, the extractive sector finds no place in the agreements and at the negotiation table. Rather, the coercive ways state authorities regulate socio-environmental conflicts are generating new contexts of violence, and the government is rather moving towards an economy characterized by unsustainable practices.

Along with the social concerns, there are also environmental and economic ones. Environmental concerns include the contamination of water sources, agricultural lands and forests. In the Colombian context, mining is also perceived as a threat to its biodiversity, considered the second biggest in the world (Colombian Solidarity Campaign 2013). There are then questions regarding the relationship between mining and national economic development, as an array of actors question the economic profitability of mining in the long term and denounce the unequal distribution of its economic benefits in the short term.

These series of socio-environmental and economic concerns, have sparked a number of contestations against the development of large-scale mining projects in the country. In this regard, Sankey (2014) interestingly asks whether the mining boom in Colombia has been more a catalyst for popular resistance than for economic growth.

A key aspect of the debate on mining concerns the legal and participatory mechanisms in place for citizens to participate in decision-making on mining governance. The most developed rights in this regard, are the rights to prior consultation and to free, prior and

informed consent. In short, those consist in the right for indigenous communities to be consulted on a specific mining or infrastructural projects that would affect them prior to the start of the extractive activities. However, not only has prior consultation and consent been criticized by practitioners and scholars for the unbalanced power mechanisms in place during its application (Schilling-Vacaflor 2014), but also, the right to be consulted excludes communities not categorized as indigenous or as afro-descendants. This situation leaves rural and urban communities in a weaker legal terrain in regards to local decisions over territories. In Colombia, claims of resource sovereignty have, indeed, moved beyond claims to indigenous self-determination to include citizenship' rights more generally.

The popular referendum (in Spanish *consulta popular*) in 2013 undertaken by the rice producer town of Piedras, to vote on the operations of the gold mining company AngloGold Ashanti, sat a precedent in Colombia of how citizens intend to influence the governance on mining. *Consultas populares* have been rising in Latin America since 2001 and have been undertaken by both rural and indigenous communities to vote on mining projects that would affect them before companies starts extracting (Kirsch 2014; Walter and Urkidi 2015). The process for *consulta* in Piedras was, indeed, influenced by those anterior examples and in turn inspired and influenced other municipalities that would be affected by “La Colosa”. An important process for the implementation of *consulta* has taken place from 2013 in Cajamarca, the municipality closer to the gold mining site, and, from the beginning of 2016, in Ibagué, the capital of the region of Tolima. However, the state and AngloGold Ashanti have stayed in opposition to *consultas populares* on mining. They have done so through political and legislative means and in certain cases with threats to the communities. As a consequence *consulta popular* is becoming object of an institutional clash between communities and the state-industry consensus on mining, involving in the conflict also an array of other institutions like regional and environmental authorities, local governments and the constitutional court.

In short, this study analyzes the significance and the meaning of the role of civil society movements contesting large-scale extractive projects. I first highlight the negative social implications of resource extraction, arguing that those inhibit the possibilities for peace, and

then, I explain what the related civil society's claims consist of. I then analyze the case study of *consulta popular* on "La Colosa" gold mining project as an example of resistance to the violences engendered in resource extraction and as a way to promote social justice along the peace process.

## **1.1 Research questions and objectives**

### **Objective 1: Explore the relations between the governance of resources and the peace-building process in Colombia**

- 1- What are the implications of large scale extractive operations on the peace-building process in Colombia?
- 2- Are civil society's claims around resources, food sovereignty and popular democracy constitutive of an "unofficial" peace-building process in the country?

### **Objective 2: Explore the role of civil society movements in the process of contestation of "La Colosa" gold mining project**

- 4- Are civil society movements that contest "La Colosa" influencing the governance of mining?
- 5- What are the political and legal conditions that favor or disfavor the legitimization and implementation of popular consultations?

## **1.2 Theoretical approaches and Literature review**

### **1.2.1 An interdisciplinary approach**

In striving to answer my research questions and address the objectives of my thesis, I adopt an interdisciplinary approach within the social sciences.

From the beginning of this research I was faced with a vast and varied literature studying socio-environmental conflicts. The same conflict case can be studied and analyzed in different manners according to the discipline one refers to. For example, economic approaches tend to use quantitative data where certain variables are sorted out to find trends and causation mechanisms. This applies in microeconomic studies such as in risk management or company costs analysis, or in macroeconomics where mining policies are related to wider economic trends (generally to GDP). Differently, anthropological approaches study dynamics of local struggles in the conflict, where less quantifiable factors such as cultural practices, societal relationships, historical considerations and structures of meaning and knowledge are analyzed and studied in their interactions. On another side, political science analyzes the dynamics of mining at national or international levels, taking often the state as a central objective of analysis (and is traditionally less involved in the studies of socio-environmental conflicts on sub-national levels).

This quick differentiation just exposed refers to some general tendencies, but there are considerable variations within each discipline. Moreover, rather than following rigid disciplinary barriers in the academic work, scholars studying socio-environmental conflicts tend to transcend the boundaries of their own discipline and incorporate analyses from other branches of social sciences.

The rise of interdisciplinary studies reflects this trend as they do incorporate in their programs various theoretical and disciplinary approaches. This may represent a daunting task for many students, but it also offer the tools to understand, analyze and make sense of contemporary challenges in a more encompassing way and through a broader prospective. The rise of interest in interdisciplinary approaches also reflects a discontent in the academia

towards the separation of knowledge in fixed institutional categories. In this regard, the sociologist Wallerstein (1999) has argued that the division of social sciences in the political, economic, social and socio-cultural fields, do not reflect different fields of human action. However, as an historical and Eurocentric product of the nineteenth-century, the division of the social sciences in distinct fields forms the basis of our university systems. As Wallerstein (2003) puts it:

“The social construction of the disciplines as intellectual arenas that was made in the 19th century has outlived its usefulness and is today a major obstacle to serious intellectual work. Although the institutional framework of the disciplines remains strong, there are cracks in the structures of knowledge that make them less solid than most participants imagine. If the social sciences are to perform the social task demanded of them—providing wise counsel on the problems of the present—it is time that we harvested the richness of each discipline for use in their reconstruction”. (p.453)

Overcoming the division among disciplines appears even more daunting when addressing environmental issues, as interdisciplinarity seeks to cross between two fields that are commonly separated: the natural science and the social sciences. Vedeld (1993), contributes to this debate highlighting the importance for economists and ecologists to better communicate their knowledge across fields. He addresses this issue with a pedagogic scope, to further understanding and mutual enrichment in classrooms and between professors in the study of ecological problems. For Wallerstein, it is precisely the ecological movement that has challenged traditional separation of knowledge: “In the last twenty years or so, the legitimacy of this divorce [between science and humanities] has been challenged for the first time in a significant way. This is the meaning of the ecology movement, for example”<sup>1</sup>.

The field of political ecology has emerged, indeed, with an interdisciplinary scope from fields like human geography and anthropology, for a more normative study of the socio-environmental world. By studying how the interplays between political, economic and social processes shape environmental transformations, political ecology aims in particular to disclose power mechanisms and political structures governing those processes. This

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<sup>1</sup> <http://www.columbia.edu/~lnp3/mydocs/ecology/boucher.htm>

emphasis on the “political”, has, however, also been reason for critique, as some scholars of the field tend to leave out the “ecological” dimension of the processes studied. Indeed, Vayna and Walters (1999) criticize how in many cases political ecology has been so politicized in the understanding of environmental changes, that it has not differentiated itself from the fields of resource politics, political science or political anthropology.

Challenging disciplines borders remains, thus, a difficult task, and in certain cases we may ask if it is even useful. It may depend on the aim of the study and which concepts or methods are chosen to answer specific research questions. What may be really important though, is to be conscious and explicit about the theoretical and methodological choices, which also means to be conscious about their limitations.

Although I refrain from using concepts through the lenses of a particularly institutionalized discipline, my theoretical choices place this study in two major areas of studies: resource politics or resource governance and peace and conflicts studies.

### **1.2.2 Theoretical aims**

Following, I make four premises in regard of the theoretical aims of my thesis, before I pass on a literature review of the main concepts.

First, a theoretical aim of my study is to further an encounter with concepts of political science with insights and methods coming from anthropology. In particular, the concepts of “peacebuilding” and “environmental peacebuilding”, which normally operate both theoretically and in political and international practices within the domain of the state, are here also understood as local practices and as being furthered by sub-national and by less institutionalized dynamics. In this regard, I consider dynamics of struggle and local contestation as not merely opposing the state agenda, but as furthering certain national objectives that often remain inactive promises in the state’s rhetoric. In this vein, this study draws from the alternative literature on the “resource curse”, which studies relationships

between resource extraction and development by including historical connotations and sub-national effects of mining to mere economic considerations.

Second, throughout my study I give centrality to the recent academic concept of environmental peace-building, by applying it to sub-national dynamics of governance and in relation to public participation. In this way, I seek to further an encounter between the fields of resource governance and peace and conflict studies. In particular, I use the concept of structural violence to address the violence engendered in unsustainable practices of resource extraction. In this vein, I view civil society movements as active actors seeking to overcome the roots elements of environmental conflict and laying the ground for a project of peace that operates at both local and national levels.

Third, although I ontologically recognize the interrelation between the social and natural worlds, this study leaves out environmental considerations in the analysis. This does not mean that I do not consider important ecological or geographical data in the analysis of resource politics. Indeed, Bebbington and Bury (2014) highlight how the field of political ecology in the governance of extractives should involve “theoretical and/or quantitative ecological analysis” to strengthen the legitimacy of the field. However, this study does mainly center on the political dimension that governs resource extraction, both because I consider it to be better suited to address the objectives of my thesis and because the data collection and methods used are consistent with this approach.

Fourth, my study seeks to advance analytical considerations that not only are theoretically sound but also contributive to public debates on resource governance. This approach emerges from the recognition of the dissatisfaction expressed by some scholars within the fields of political ecology and anthropology on the disconnection of their fields to debates outside of academia. For example, Bebbington and Bury (2014), refer to Walker’s (2006) argument that political ecology has done little to engage with international research programs such as the Intergovernmental Panel on Climate Change, the Millennial Ecosystem Assessment, or, as added by Bebbington and Bury, with the ongoing Extractive Industries Transparency Initiative or with the Extractive Industries Review (2014:13). Also

McNeish and Borchgrevink (2015) point out the importance of engaging studies of resource politics to public debate. They argue that the field of anthropology has remained largely analytical, which is “unacceptable at a time when economic and climatic crisis threaten to push national and global politics not in the direction of sustainability but farther in the direction of polluting practices [...]” (p.22).

Following, I explain the main theories and concepts used to support my analysis throughout the study. Those include: critical theories to the resource curse, the notions of structural violence and slow violence, critical views on peace-building and the concept of environmental peace-building.

### **1.2.3 The resource curse theory and its critiques**

The literature about resource politics is widely concerned with the relationship between the use and extraction of resources and national development. In the nineties, the concept of “the resource curse” emerged and became commonly accepted to describe the situation of resource abundant countries facing a series of negative economic and institutional effects caused by extensive resource exploitation. Scholars describing the resource curse usually refer to the so-called “paradox of the plenty”<sup>2</sup>, namely, the paradox that an abundance of resources instead of furthering economic growth and institutional capacity, leads to reduced economic performance and a weakening of democratic institutions. While the resource curse theory is widely accepted, its limitations stay in the inconclusiveness of its causal mechanisms, in the weaknesses of its methodologies and in the fixation towards national economic performances. Little concern has been given to the series of sub-national effects of mining, to historical explanations, or to the unbalanced power mechanisms in the global economy. Following, I analyze scholarly arguments about the resource curse theory, tracing some of its developments and critiques, as well as my own direction within this literature.

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<sup>2</sup> From the title of Terry Karl’s book on oil of 1997: “The Paradox of Plenty: Oil Booms and Petro-States”.

Prior to the resource curse theory, there was a general agreement among scholars that natural resource abundance was beneficial for economic development. For example, according to Rostow (1961) natural resources would act as the industrial take-off for countries transitioning from under-development to industrialization. Just a few scholars (Singer, 1950; Prebisch, 1950) stated that the unbalanced model of international commodity markets placed developing countries dependent on natural resource exports at a level of disadvantage compared to industrialized economies. Those scholars represented, however, a minority. Only from the late eighties, the resource curse theory consistently challenged the conventional wisdom that viewed resource abundance as a blessing for developing countries. Findings from case studies of Gelb (1988) and Auty (1990-1993) suggested, indeed, the opposite correlation. Auty introduced the resource curse theory in the book “Sustaining Development in Mineral Economies” in 1993 stating in its opening sentences: “[...] new evidence suggests that not only many resource-rich developing countries fail to benefit from a favorable endowment; they may actually perform worse than less well-endowed countries. This counter-intuitive outcome is the basis of the resource curse thesis”.

The first studies on the resource curse referred mainly to bad outcomes that were economic in nature, such as the “Dutch disease” (Auty 1993), a condition whereby the dependence on a particular resource damages other sectors such as manufacturing. Although the “Dutch disease” is commonly observed in mineral dependent economies (Mikesell 1997), in a study on mining and development, Bebbington et al (2008) stress that the extractive sector *per se* is not the only factor that limits economic diversification. The concentration of investments in mining is, indeed, a product of specific neoliberalising policy changes (p.6). The export dependency factor of the “Dutch disease” is also related to vulnerabilities such as mineral price volatility and the fact that many transnational companies that own extractive resources develop few links with local suppliers (Bebbington et.al 2008). Those factors also help explain a rise in poverty and inequality in mineral regions (Ross, 2003).

The resource curse thesis is not only related to bad economic performances. The literature on the matter has, in fact, grown to incorporate political or governance issues. Some of the most prominent examples in this regard are the engagement of political actors in rent-

seeking behavior (Rosser, 2006), outbreak of conflicts and in some cases civil wars (Collier and Hoeffler 2005), hindrance of democracy and reinforcement of authoritarian regimes (Ross 2001). On a similar note, Bebbington et.al argue that resource concentration implies a concentration of wealth and power, often in foreign hands, that “elicit socio-political and institutional relationships that undermine sustainable and inclusive development” (2008:7). One negative example of this is the lack of transparency and corruption amply documented in the appropriation and use of state revenue from mineral wealth (ibid).

Another stream of studies related to the resource curse thesis also differentiate types of resources between “point” and “diffused resources” and relate mainly the so-called “point resources” to negative development outcomes. While “point resources” are geographically concentrated, such as oil and minerals, “diffused resources” are spread thinly in space and include agriculture and forests. Evidence tend to suggest that point resources are worst for institutions than diffused resources, although formal theories in this regard are scarce (Roy et.al, 2013). Also, according to some scholars (Sala-i-Martin&Subramanian 2003; Isham et.al, 2005), the negative outcomes are not proportionally related to the quantity of the “point resources” that are extracted, as any increase in resource dependency above a certain level cause certain negative effects. I may add here, that the Colombian case is not representative of this generalization on “point” resources, as also “diffused” agricultural resources such as coca and coffee have been related to civil conflict and rent-seeking behavior (Angrist&Kulger 2008; Dube&Vargas 2006).

Another array of scholars highlights that the “resource curse” is not common in all resource abundance countries. Rosser (2006) has offered an important scholarly contribution on this regard, as he conducted studies on the conditions under which resource-abundant countries are actually able to escape the resource curse. For example, countries such as Indonesia, Chile, Botswana and Malaysia have managed to avoid the negative outcome of resource abundance (Rosser 2006). In general the level of inclusiveness and democracy present in pre-existing institutions are seen to play a great role in how resources are managed in relation to national development.

The findings revealed by Rosser (2006), suggest that one should avoid deterministic explanations relating an abundance of resources to negative outcomes. Indeed, the literature about the resource curse only reveals that there is a general correlation between resource abundance and bad development, but does not say anything conclusive about how this correlation comes into play, nor it has not proven the casual mechanisms between resource abundance and bad development (ibid). Some scholars are also critical to the weaknesses in the methodologies used to prove those linkages (Arellano-Yanguas 2008). According to Bebbington et al (2008), the convergences between resource curse thesis debates remain more intellectual than practical and have only showed that each case has been governed by different dynamics, leading to an “it all depends” type of explanations. Moreover, even when certain proven links can be accepted, the explanations that accompany them leave out more complex and in-depth considerations, which would be important to give usefulness to the findings.

Critical literature on the resource curse, which is key in my analysis, has, in fact, pointed out the lack of concern for social forces and external geo-economic factors that influence the correlation between resource wealth and development. Indeed, by avoiding questions of power and historical considerations, resource curse theories reinforce the idea that developing countries are largely responsible for their own developmental mistakes. One of the firsts scholars to critically denounce resource curse theorists was Watts, who wrote in 2004: “What is striking in all of this resource-politics scholarship is the almost total invisibility of both transnational oil companies (which typically work in joint ventures with the state) and the forms of capitalism that oil or enclave extraction engenders.” This and other works critical to the resource curse theory reveal that little concern has been given to the role of private environmental governance, to the unbalanced power mechanisms in international economic relations or to the series of sub-national effects of mining on socio-political and ecological dynamics. By leaving out those issues, the “resource curse” theory appears rather a technical analytical device that overlooks political dimensions and historical developments.

In this vein, McNeish and Borchgrevink (2015), continuing on the line of previous work by McNeish and Logan (2012) denounce the lack of issues of ideology, history and political feasibility in deterministically oriented resource curse theories (especially the work of Collier), and call for a greater attention to works that acknowledge the social complexities and historical grievances in shaping resource governance (such as: Omeje 2008; Stevens&Dietsche 2008; Rosser 2006). In particular, McNeish and Borchgrevink argue that scholarly work on critical institutionalism in environmental governance, which is traditionally more involved with renewable resources, gives an important contribution to non-renewable resource politics (p.26). Not only works on critical institutionalism better capture the socio-political and power relations in place, but they highlight the role of both formal and informal institutions and the production of hybrid forms of governance, which often occur unintentionally (Clever 2012). To capture those informal dynamics and the hybridization of governance processes, McNeish and Borchgrevink, highlight works that go beyond the quantitative research that has dominated the resource curse thesis and its rational-actor models, to acknowledge the importance of qualitative methods.

This call for qualitative approaches is particularly key to understand the socio-environmental and community level dynamics accompanying mineral expansion. The importance of socio-environmental conflicts on extraction and the sort of low level violence related to community struggles, have been pointed out by Watts (2004) in his work on oil enclaves in Nigeria, stating: “In contrast to Collier and others, I seek to trace the variety of violences engendered by oil (not just civil war or rebellion), to elaborate the ways in which resources, territoriality and identity can constitute forms of rule (or unrule), and to understand the genesis of violence associated with the differing sorts of governable or ungovernable spaces”. Alike, I argue, in line with McNeish and Borchgrevink (2015), that extractive projects are “often responsible for uncovering and renewing long-standing social cleavages and conflicts” (2015:9). Nevertheless, those low level dynamics are still finding their space in the current literature on resource politics. As Bebbington et al. (2008) have pointed out, much work on socio-environmental curses has been covered by activists and organizations, which have been well ahead of the scholarly community on this matter (p.5).

It is also important to note in this regard, that the socio-environmental conflicts on mining and energy projects are not necessarily to be defined as “curses”, or as negative for resource governance. They function rather as a creative force, as a popular reaction, that can bring to better inclusiveness of institutions (McNeish 2010) and to the reframing of international debates (Bebbingon et al. 2008). Furthermore, McNeish& Borchgervik (2015) write that contestation around resource wealth, even when violent, has lead to stronger popular sovereignty in countries such as Norway, Nigeria, Bolivia and Venezuela.

In this study I view prevalent resource curse arguments as contributive, but as I have explained, are far from generable in the study of socio-environmental conflicts. As civil society’s primary concerns relate to the ecological and socio-political curses of mining on a sub-national level and to the role of transnational mining companies in furthering those curses, this study acknowledges that critical works on resource politics is more useful. Indeed, resource contestation on mining projects reveals that counter arguments on mining governance not *only* refer to macro-economic and national governance issues, but foremost, to a series of sub-national and community level curses that the dominant theories have failed to investigate.

#### **1.2.4 Theories on peace and the environment**

In this study I argue that, in contrast to what is demonstrated by the official commitment on the agenda for peace, Colombian civil society groups show to have a more holistic view about the relationships between the governance of resources and peace in the country. The aim of this section is, therefore, to shed light on this relationship by explaining theoretical approaches on peace and violence and on environmental peace-building. At first, I explain notions of violence underlying my overall argument. Then I explain some of the limitations of the traditional peace-building literature and discuss the more recent academic concept of environmental peace-building, which addresses how the use of resources can sustain long-term peace.

## *Notions of violence*

The sociologist and mathematician Johan Galtung has been one of the pioneers of peace and conflict studies, as well as influential for much thinking on peacebuilding. His views on the practices of peace are related to his notion of structural violence, which concerns the vast and often-imperceptible structures that give rise to both intra-personal violence and wars (Galtung:1969). In his view, efforts to promote peace that solely address visible or armed forms of violence have limited results. At best, they would bring to the absence of violent conflict (what he calls *negative peace*). However, the absence of armed conflict can still contain those elements of structural violence, like social injustice, which may re-activate the conflict or create new forms of violence. Conflict management should, therefore, aim at depleting those structures of violence to promote peace in the long term (what he calls *positive peace*).

Galtung's concept of structural violence has been amplified by Nixon's notion of slow violence in the work "Slow violence and the Environmentalism of the Poor" (2011). According to Nixon, while Galtung well describes the "silent" and "tranquil waters" of violence, the notion of slow violence describes more accurately gradual transformations taking place over time, yet inherently violent. Nixon is mostly concerned about the environmental transformations of the contemporary era. Slow violence is, in fact, about the impacts of climate change, toxic drift, deforestation and oil spills on ecological balances and on societies, particularly hitting the poorest. In contrast to the spectacular, hyper-visible forms of violence that are more easily representable in the public imaginary, like terror attacks, slow violence is more often than not simply ignored. Because it is neglected or given a lower priority, slow violence exacerbates the negative effects of environmental changes on the most marginalized groups, and fuels social conflicts around resources.

Another important account on violence linked to resource use and environmental struggles, is the book of Peluso and Watts "Violent Environments" (2001). By rejecting deterministic links between resources, population growth and conflict (examined in the influential work of Homer-Dixon in 1994), the authors claim that little work has explored how

“environmental violence” actually masks or reflects forms of social struggle and of material and cultural dispossessions. The authors draw their conceptualization of violence from Dumont (1992), viewing violence both as structured by particular historical events, and as structuring human agency in the present, which determines the acceptability of violence and the “ability to erase the scandal of its occurrence” (1992:277).

Those aforementioned notions of violence contribute to broaden the category of what constitutes violence and suggests that social justice and environmental struggles are central connotations in the study of conflicts. Not only those notions help to navigate the roots elements of conflicts, but they also suggest a re-definition of what are valuable arenas of political action and change which exist beyond the most acute and vehement conflict settings.

After having explained the assumptions of violence underlying my analysis, I now turn on to expose some critical views on the peacebuilding literature to further shed light on how the concept can be more usefully used to study the nexus between environment and peace.

### ***Critical Peace-building***

The term peace-building was first coined by Johan Galtung in the 1970s and became a popular concept in the literature on peace studies during the 1990s as well as a term commonly used in UN practice in conflict settings. Galtung views peacebuilding as a way of promoting long term sustainable peace by addressing the root causes of conflicts and supporting local capacity to conflict management. Although the structural violence mentioned above is central in Galtung’s view on peace-building, the development of the peace-building concept in the dominant literature and in the UN practice has reflected a more narrow understanding of the author’s theorization.

On one side, UN reports and much of the peace-building literature have addressed the strength of peace-building approaches in their broad application through integrated policy fields in post-conflict contexts. Those include political and economic reconstruction,

disarmament, support in education and rebuilding of civil society institutions<sup>3</sup>. Those applications clearly differentiate peace-building from targeted and short term interventions of peace-making and peace-keeping.

On the other side, critical views on peace-building have pointed out some fundamental limitations within its literature and in the practice. Here I outline in particular three of them.

The first is that the political economy of peace-building has been largely neglected (Pugh et al 2008), thus leaving out those elements of the “liberal peace” that may exacerbate conflict economies and violent dynamics. The second is that peace-building actors have been often confined to formal institutions and programs prompted by the UN or other foreign institutions, overlooking the agency and diversity of local actors (Mac Ginty 2011). Thirdly, environmental considerations on the construction of peace have been little scrutinized so far and been ignored in most peace-building programs, although recent evolutions in the literature have started to take the environment into account (Carius 2006; Conca and Wallace 2012; UNEP 2009).

The first limitation is discussed in the book “Whose Peace? Critical Perspectives on the Political Economy of Peacebuilding” edited by Pugh et. al (2008). The authors denounce the lack of political economic considerations in the peace-building literature, although issues of political economy, as they put it, are “absolutely pivotal to the form and functioning of peace processes” (p.11). This silence reflects what Richard Ashley refers to as “economism”, the notion that the economic sphere exists independently from the political sphere, and as such, the latter appears devoid of independent capacity to reflect on economic processes (Ashley 1983:470 in Pugh et al 2008:2). The absence of studies on the political economy of peace-building appears odd, both because institutions of the global economy have a great deal of influence in peace-building institutions, and because peace-building strategies have commonly been linked to neoliberal policies of open markets. Policies for economic liberalizations may hinder peace for various reasons. They are often

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<sup>3</sup> Information retrieved at UN website:  
<http://www.un.org/en/peacebuilding/pbso/pbun.shtml>

paralleled by increased global and civil inequalities which represent an impediment to regional integration, at least in the global South, and because “in any case, the liberal equation of commerce and peace is very much open to doubt” (Salby 2008:20). Also when defenders of the “liberal peace” acknowledge its challenges, including the limited knowledge of local conditions and insufficient local ownership, “these are usually regarded as merely technical problems of implementation rather than basic flaws in the model” (Pugh et al. 2008:3). Although the liberal peace-building model is no longer unquestioned as in the 1990s, it still represents the dominant paradigm articulated by powerful donors and UN agencies. As Pugh et al. put it: “regardless of whether intervention has been initially consensual or coercive, *all* peace-building operations involve the exercise of power and illustrate relations of power between actors at the global, regional and local levels” (p.2).

The second limitation of the peace-building literature regards its poor account of local actors, which is the central question in Mac Ginty’s book “International Peacebuilding and Local Resilience- Hybrids Forms of Peace” (2011). According to the author, dominant narratives of peace “are often top-down or overly restricted to principal actors such as governments and armed groups” and, as a result, “the agency and diversity of local-level actors are often overlooked” (2011:2). While Mac Ginty recognizes the capability of liberal peace to alleviate many damages of societies emerging from violent conflicts, he is especially critical to its economic model that prioritizes international markets over local ones. Mac Ginty also stresses the limitations of too romanticized views on “local” approaches to peace-building and development. The author finds, therefore, useful the concept of hybridity, which allows valuing the composite forms of peace-building as the result of interaction of different groups, practices and worldviews.

### ***Environmental Peace-building***

A third weakness of the peace-building literature regards its lack of considerations on environmental governance issues that may contribute to sustain peace in the long term.

Recent efforts to include the environmental dimension alongside the economic, social and political pillars of peace-building have emerged. The central question is not on whether resources, abundant or scarce, are the cause or not of conflicts, but on how governance processes and management practices around resources may actually contribute to peace-building.

Conca and Wallace (2012) have been among the pioneers of the environmental peace-building literature. The authors theorize the concept of environmental peace-building in an assessment of the UN Environment Programme's in war-torn societies. Here, they recognize that "the international community's interest in the environmental dimensions of conflict prevention and post-conflict reconstruction has grown"; and that "an emergent strand of scholarship argues that shared environmental challenges may create peacebuilding opportunities, providing an agenda of shared interests, promoting confidence building, deepening intergroup ties [...]" (2012:64). Among various considerations on the nexus between peace and the environment, here I consider to be particularly key two of them, which also are supported throughout the authors argumentation.

The first is the authors' recognition of the centrality of social relations in the governance of resources. The authors argue that "the characteristics of how resources are governed can be a critical determinant in whether social relations follow a peaceful or violent path. This is particularly true in low-income, resource-dependent economies, under conditions of political instability, or in the context of weak governance institutions" (p.69). They further stress that the strengthening of environmental management and law is not only an important part for rebuilding the state, but it must "reach beyond formal state institutions to engage the societal practices where most resource governance actually occurs" (2012:80).

The second key element of their discussion concerns their account of the role that a political economy of peace-building has on resource governance. Critical to the neoliberal reforms that have accompanied peace-building initiatives they argue that "these reforms, and aid initiatives in general, often target war-torn societies' natural resource sectors, with intensifies extraction viewed as a quickly tapped revenue source. [...]" (Conca and Wallace

2012:75). In this vein, the authors discuss the distinction of “conflict economies” into different segments, which are identified by Kamphuis (2005) as: the formal economy, the international aid economy, the informal economy and the criminal economy. The danger is that peace-building strategies will overemphasize one strand and fail to recognize others. This is critical as some linkages between “conflict economies” are environmental and efforts to sustain one economy may have negative spill over effects on another (Conca and Wallace 2012). For example, efforts to rebuild the formal economy may spill over to the informal economy sector, and as a result local economic activities become embedded in transnational commodity chains that exploit weak governance to accelerate extraction.

## **1.4 Methodology**

This study is based on a qualitative research strategy that combines the use of both primary and secondary data. I conducted fieldwork in Colombia between March and June 2015, which allowed me to collect the primary data that I have used to analyze the case of the socio-environmental conflict on “La Colosa” gold-mining project. The decision to undertake a qualitative approach matched my aims to study the specific local dynamics governing the conflict, and in particular, to trace the recent history and developments of local referendums on mining. As stated by Berg and Lune (2013), “qualitative procedures [...] provide a means of accessing unquantifiable knowledge about the actual people researchers observe and talk to” (p.8).

My fieldwork was conducted as part of a research project funded by the Norwegian Research Council. The project seeks to explore local consultations in extractive conflicts in several Latin American countries, and is named: “Extracting Justice? Exploring the role of FPIC and consultation, and compensation related to socio-environmental conflicts in Latin America”. I took part of the sub-research project that my supervisor was leading in the area of Tolima in Colombia. Before undertaking fieldwork, I took part of the first meeting of the research group of the “Extracting Justice” project, which took place during three days in North Carolina at the University of Chapel Hill. Since I was an exchange student in Washington DC at that time, it was easy to access the location. The meeting allowed me to

gain a more solid understanding of the overall research project, its objectives, some of its leading theories, and to gain more knowledge about the specific case described by my supervisor regarding “La Colosa”. By taking part of the project I agreed on following certain criteria for research, which were indeed those of a qualitative approach to study mechanisms of consultation between communities and extractive industries. In the particular case of Tolima in Colombia, the study was centered on exploring the democratic mechanism for *consulta popular* on mining. This mechanism had not been researched before, which meant that both previous empirical data and theories on the matter were lacking. Therefore, collecting primary data was key to study the case.

I started to plan my research during my time as an exchange student in Washington DC. During that time I also met with professor Ken Conca, who gave me some suggestions regarding the use of the environmental peace-building concept in my thesis and provided me with some contacts in Washington DC, where I was able to conduct three interviews. Those interviews were centered on the role of extractive industries in Latin America and on the use of an environmental-peacebuilding approach.

During my stay in Colombia, I first spent one month in the capital Bogotá. This provided me with the opportunity to further practice advanced Spanish (my native language Italian provided an important advantage). Also, the stay in Bogotá allowed me to start understanding more of the Colombian culture and society and to meet some key first contacts provided to me by my supervisor. After the month in Bogotá, I moved in Ibagué, the capital of Tolima, where I stayed until the end of June for the purpose to collect primary data on my case study. Ibagué represented a key location for conducting the research. In the city I was able to meet several people involved in the social mobilizations against “La Colosa”, to take part of the weekly environmental seminars and to conduct several important interviews. Ibagué is also located closely to other settings that were relevant for my research, in particular to the municipality of Cajamarca where I used to travel several days during the week. I also travelled to the municipalities of Piedras, Natagaima and Espinal, and went to Bogotá in other occasions to take part of relevant conferences, public audiences and to make interviews.

Lastly, I conducted one interview in Oslo in March 2016 at the Extractive Industry Transparency Initiative. The interview was a way to discuss more closely the recent candidacy of Colombia in their organization, on the challenges of gaining transparency and what it means for the Colombian civil society.

#### **1.4.1 Study design**

The design of the study was oriented towards an inductive approach. While I was inspired by Galtung's concept of structural violence and the recent notion of environmental peace-building, I had not decided how to apply the theory throughout my study. Also, I had a list of research questions on the start of my fieldwork, which I needed to shorten in order to focus my analysis on a few leading questions. I chose that the data would gradually lead to my final research questions and help me to define how my theory would be applied in the analysis. This "research-before-theory" orientation is clarified by the statement of Merton (1968:103):

"It is my central thesis that empirical research goes far beyond the passive role of verifying and testing theory; it does more than confirm or refute hypotheses. Research plays an active role: it performs at least four major functions, which help to shape the development of theory. It initiates, it reformulates, it deflects and it clarifies theory".

As for the other design choices of my thesis, I had planned beforehand some research settings and the samples, although there was always a component of flexibility that allowed me to include other settings or samples along the research process. I had been initially unsure on whether to focus on the experience of *consulta* in the municipality of Piedras or ongoing developments in Cajamarca, or equally on both. It was during my stay in Tolima that I decided to conduct most of my fieldwork in Cajamarca, as important developments were happening in the municipality and because I could soon observe that it was the site with most turmoil regarding the extractive project. As for the samples, those would include members of socio-environmental movements in the locations affected by "La Colosa",

institutional representatives in the administrative offices of Ibagué, and professionals in Bogotá.

#### **1.4.2 Sampling approaches**

The sampling approach was based on non-probability samples, which are the norm in most qualitative research (Berg and Lune 2013). At first I used *availability sampling*, which means that the researcher approaches the most easily accessible subjects. This allowed me to gain quickly relevant preliminary information. Then, I used *purposive sampling*, through which a researcher selects subjects on the basis of its own expertise or knowledge in the field. Indeed, during my time in Ibagué and Tolima, I learned about the people who had more influence in the organization process of *consultas* or which people could provide me with useful information. This allowed me to gradually choose the key subjects to interview for the purpose of my research. Another sampling approach that I used was *snowball sampling*, which allowed me to ask for the referrals of other people to the subjects that I interviewed.

The access to most settings where to interview the subjects did not prove particularly difficult. As suggested by Burgess (1991) “access is based on sets of relationships between the researcher and the researched, established throughout the project” (p.43). Indeed, as I managed to know some of the members of the movements involved in the social mobilizations very soon, I was invited to the meetings held by the movements in Ibagué and Cajamarca and got to know people that voluntarily brought me around the rural areas of Cajamarca and in other municipalities. The municipality of Piedras was a more difficult site to access due to the lack of transportation, so I had to plan beforehand how and when to travel to the area. Also, people that were key in the process of *consulta* in Piedras, were often present at the meetings in Ibagué, so I had the opportunity to talk to them or interview them while they were staying in the city. As for the interviews in Bogotá, I got help from a contact provided me by my supervisor and planned with this person beforehand time and setting of the interviews.

### 1.4.3 Methods of data collection

My key methods of data collection for primary data were participant observation and semi-structured interviews.

The method of participant observation was key for two reasons. First, by taking part of the meetings with the members of the movements I got to know at close hand the internal dynamics of the local organizations and the commonalities or differences in ideas and values among the movements. Understanding people's perceptions and values is indeed a key factor for qualitative research for "assessing everyday community life from the perspective of participants" (Berg&Lune 2013:200). Second, participant observation allowed me to follow directly certain developments around the organization of *consulta popular*. This means that part of my data was constantly updated on the actual facts that I could observe on the site, and that a part from people's perceptions, I could understand more closely how power relations were disclosed in the settings.

Moreover, my participant observation strategy was based on both macro and micro ethnography. While macro-ethnography describes daily practices and values of an entire group, micro-ethnography focuses on "particular incisions at particular points in the larger setting, group or institution" (Berg&Lune 2013:199). Thus, while in most of my study I refer to socio-environmental movements, or civil society groups, contesting "La Colosa", during my fieldwork I was able to identify different fragments and particularities of this macro group, which helped me to trace a more nuanced picture of the social mobilizations and the single factors influencing its organization and outcomes.

As for the interviews, those were conducted to reveal individuals' perceptions in a private setting where they felt more at ease disclosing their own perspectives on the issues relevant to my study. This allowed me to go more in depth on the micro-ethnography approach. The interviews proved to be, in fact, an essential tool to grasp the perceptions and opinions of people, as well as their stories and the value of their own commitment to the social struggle. Conducting interviews was also a way for the respondents to get to know more properly the

purpose of my research and therefore, to enhance the level of trust between me as a researcher and the people that I both interviewed and talked to on a daily or weekly basis. This also helped me to get more easy access to specific sites or subjects during the research process.

The interviews were conducted in a semi-structured manner. Before each interview I prepared a list of questions that I used as a basis to refer to. During the interview, I adjusted the questions and their wordings according to the answers that I received. This method allowed me to make a series of probing questions, through which I could go more in depth or ask for clarifications on certain aspects. My questions were at the start of the interview very general, because I wanted to avoid “[forcing] the conversation down the paths of [my] own choosing” (Berg&Lune 2013:117). Then I would ask more specific questions towards the end, because, as pointed out by Berg and Lune (2013) as researchers “we need to cover certain topics, and therefore to remain aware of which subjects occur “naturally” through the interview, and which we must “force” into it before we finish” (p.117).

Most of the interviews were planned beforehand, while others, especially those at the administrative offices of Ibagué, were less so. In those cases, I accessed the locations and asked to meet the people that could be relevant for my research. I grabbed most interviews, but only when I got the permission from the respondents and when I perceived it was appropriate. Other times I took notes of the answers, which I stored in a private notebook.

#### **1.4.4. Data analysis**

During and after fieldwork, I conducted the analysis of the data through the method of triangulation, which permits to use different methods throughout the research process. This enhances the validity and reliability of the findings (Berg and Lune 2013).

I started to conduct the analysis of the findings of participant observation already during fieldwork. I had taken a set of notes during meetings and after returning from my research excursions. That helped me to gradually create a structure of my own ideas and interpretations of the processes that I was studying. During my observations I noted that, despite the continuous effort and commitment of the social movements, there were a series of factors that were opposing the process to realize the local referendums on mining and that there were important differences of how different actors viewed those referendums as being legitimate. It was, indeed, during my fieldwork that I became interested in focusing on the factors that were contributing or not to the implementation and legitimization of the *consultas populares*. In that way I could also reflect on actors' power relations and how those were reflected in the process to organize the *consultas*.

Regarding the analysis of the interviews, I cross-checking information throughout them. First, I took notes of each recording and then checked that the retrieved information was consistent throughout my sources. Then, I grouped the citations that I found to be the most key or expressive, and decided which to insert in my thesis during the writing process. By the time of conducting the data analysis I had defined the research questions of my thesis. That allowed me to take notes of only the citations that I interpreted as being relevant findings to answer my research questions.

Also, during the writing process I would go back several times to my participant observation and interview notes. Berg and Lune (2013) define this process as a “spiraling research approach” that is increasingly used in social science research (p.25). Together with triangulation, this approach is also useful for the reliability and validity of the data.

Finally, to analyze the case study I also used a set of secondary data. Some reports on the case of “La Colosa” proved useful for a general overview on the conflict case. To trace the developments on the specific case of *consultas populares*, along with the primary data from my respondents, I used local newspapers as key sources. Those sources were important to structure the time-line on which the facts were happening and to check that information throughout primary and secondary sources were consistent with each other. Indeed, as

stressed out by Berg and Lune (2013), ethnographic analysis involves finding, interpreting and explaining the patterns that emerge from different data sources.

#### **1.4.5 Ethical considerations**

During my research, I found essential to have an appropriate attitude and to embrace a neutral posture. Neutrality allows researchers to understand the social world around them rather than become advocate or critics of the events. As Berg and Lune (2013) point out, while the research questions leading the research are guided by the researcher values, the actual research action must be guided by the research design. Embracing this attitude also requires that researchers adopt a reflective approach. Reflectivity means that the researcher understands he is part of the social world he is studying and that he “does not merely report findings as facts but actively constructs interpretations of experiences in the field and then questions how these interpretations actually arose” (Berg&Lune 2013). Indeed, throughout my research in the field I tried to be aware of how the knowledge and information I gained were produced, on which values they were based on, and which values were at the basis of my own interpretations and that led my research interests.

Finally, to ensure that I met the foremost objective of ethical social research to *not do harm* to the people of the study (Berg&Lune 2013), I took some practical precautions. I had to be particularly careful of following this ethical objective due to the context of violence of my research setting. Before starting the interviews I always reminded the respondents to inform me if they wanted to skip answering some questions and that they could withdraw the interview at any time. Also, even when the respondents agreed on the grabbing of the interview, I reminded them to inform me to stop or pause the grabbing of certain parts of the interview when they felt it was not comfortable. I also informed the respondents about the confidentiality and anonymity of the interview. I have only used names in the study when I was allowed to do it by the respondents.

#### **1.5 Structure of the thesis**

The thesis is divided in two sections.

Section I aims at exploring the relations between the governance of resources and the peace process in Colombia. I address this objective in chapters 2 and 3. In Chapter 2, I first delineate the history of the policies of energy and resource extraction since Uribe took office and look at the links between the changes in those policies with the evolving dynamics of the civil conflict. Then, I discuss how the extractive economy resulting from those policies exacerbates the dynamics of violence in Colombian territories, and therefore, has negative implications for the construction of long-term peace. In Chapter 3, I analyze the role of civil society movements in contesting extractive projects. I discuss how those movements advocate for other patterns of governing resources, and argue that their claims and agency lay the ground for peace-building in the country. The information in Section I relies mostly on secondary data and provides both the context and the leading arguments of the thesis that are used to analyze the issues in Section II.

Section II moves to the case study of my thesis, i.e., the exercise of popular democracy in the case of the gold-mining project “La Colosa”. While in Chapter 4 I give background information to the extractive project, in Chapter 5 I first examine the recent developments of the local referendums on mining, called *consultas populares*, which are taking place in the region of Tolima where the project is located. Then I discuss the exercise of *consultas populares* as a tool for environmental governance. I discuss the factors that contribute, or not, to their implementation and legitimization at different levels of governance and the role of state and industry actors in opposing their realization.

## **Section I**

# **Peace for whom? Governance of resources in post-conflict Colombia**

## **2-The implications of resource extraction on the construction of peace**

The accelerated expansion of resource extraction accompanied by policies for market liberalization through the formation of free trade agreements is a central element in the national economic strategy of Colombia. Resource extraction involving oil, gas, coal and

gold is considered by the government as a chief motor for economic development and is based on the strategy of attracting multinational mining corporations. Although the government views this economic strategy as a means to enhance stability resulting from the peace accords, the Colombian politics of resource extraction has historical connections to the dynamics of the civil war. It is therefore important to consider the implications that the extractive economy of post-conflict has for the prospects of long-term peace-building in the country.

In this chapter, I explain Colombia's mining strategy since the 2000s and expose some fundamental connections with the dynamics of the civil war and with the current peace process. I further discuss the implications of this development model for the country's peace-building prospects.

## **2.1- The Colombian politics of resource extraction since the 2000s**

Since the 2000s Colombia has experienced an escalation in the extraction of raw materials through foreign direct investments<sup>4</sup>. While the rise in mining exports such as gold, coal and nickel was a chief element that triggered this escalation, there are also geopolitical developments that have impacted on Colombia's extractive policies (Sankey 2014). Since the 1990s, the US and Canada became the two major players that influenced the policies of energy and mining in the country. The US has long been an ally with Colombia for both economic and security interests. In the mid-1990s, Colombia became the seventh biggest oil supplier to the US. In the same period, the Clinton administration initiated the military and aid initiative "Plan Colombia", partially also to create favorable conditions for US companies to exploit the oil reserves (Leech 2004). In the mid 1990s Canada also stepped in as a major economic player in the country. Millions of dollars were donated from the

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<sup>4</sup> A foreign direct investment (FDI) is defined as cross-border investment by a resident entity in one economy with the objective of obtaining a lasting interest in an enterprise resident in another economy. The lasting interest implies the existence of a long-term relationship between the direct investor and the enterprise and a significant degree of influence by the direct investor on the management of the enterprise. (Definition retrieved from the OECD iLibrary).

Canadian International Development Agency to the Colombian government to regulate the hydrocarbon, mining and energy sectors on the basis of a process of privatization. The donations were intended to improve the country's institutional capacity to attract foreign investments (Ismi 2012). The economic relations with Canada would become further consolidated when the Canada-Colombia Free Trade Agreement came into effect in August 2011.

The significance of Canada's influence and of foreign mining investors is general can be demonstrated by the changes to the mining code in 2001 (Sankey 2014). The Code provided the legal framework that allowed foreign companies to obtain mining concessions and to invest in resource extraction. Those changes included: a reduction in taxes for mining companies, removal of certain restrictions on areas open for mining activities and limitation of the state participation in extraction (Fierro Morales 2012). Indeed, based on the recommendation of the World Bank, the Mining Code eliminated the State's role in direct investment, which would be relegated only to regulate the industry and provide oversight. This ended the possibility of State earnings from net returns on mining, thereby almost entirely limited economic benefits to surface rights fees and royalties (PBI Colombia 2011). Already in 2000, Carbocol, Colombia's state coal corporation was sold for U.S.\$383.7 million to a foreign consortium made up of Exxon Mobil, Anglo American, Billiton and Glencore International (Ismi 2012). The Colombian trade unions in the oil and telecommunications sectors were the most resistant to this process of privatization to foreign companies. State repression on trade unionism became most severe in precisely these sectors.<sup>5</sup> Also, the royalties were set at fixed rates, which became lower than those of the 1990s and which are currently among the lowest in Latin America (PBI Colombia 2011). The issue of environmental licenses was another point of contention. Until 2001, licenses were required for all phases of mining activity, but the new code only requires environmental authorization to carry out "operating activities" (Ismi 2012). This limits decision-making opportunities on the explorative phases of a mining project. The new mining code of 2001 both represented the ongoing change in economic and geopolitical

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<sup>5</sup> Between 1986 and 2010 2,800 unionist were murdered, making Colombia the most dangerous country in the world in which to join an union (Sankey 2014).

dynamics of the previous years and would generate profound impacts on the politics of mining in the country later on. The numbers speak clear. While in 1996 mining represented 2.2 per cent of total foreign investment, by 2001 this had risen to 26 per cent (Banco de la República, n.d.; see graph 1). The role of Canada in this process has been significant: Canadian investment in the mining and hydrocarbon sectors arose from US\$1.4million in 1999 to US\$663,9 million in 2000.

Although the neoliberal reforms allowed the influx of foreign direct investments in the mining and energy sectors, conditions on the ground were representing serious threats for the operating companies (Sankey 2014). A growing number of rebel groups have been moving to areas strategic for natural resources and targeting oil pipelines in particular. Attacks and sabotages on energy infrastructure have been the preferred target of the FARC (Global Risk Insights 2015). Pipeline detonation, blasted dams and the torching of tanker trucks were a daily occurrence, causing oil spills, flooding, power cuts, and road blocks, as well as generating further logistical and operational costs for the private sector. In 2003, oil production in Putumayo drastically declined<sup>6</sup> due to the threats posed by the guerrillas, and the oilfield of Caño Limón in the Department of Arauca received 170 attacks in 2001 alone (Leech 2004). In face of the security threats posed by the attacks on the mining and energy sectors, Canadian companies stated their concerns to confront the challenge to balance commercial opportunities with personal security risks (Sankey 2014). Those security threats have continued until present, rising after 2011 when the FARC increased the attacks to the extractive sector by 377% (Ministerio de Defensa nacional 2013). In 2013, the FARC and the ELN have also come to an agreement to target mining in the Department of Antioquia (Sankey 2014).

It is in the context of the increased influx of foreign extractive capital and a rise in guerrillas attacks in the early 2000s that paramilitary organizations became increasingly active in the territories open for resource extraction (Sankey 2014). The paramilitaries, in alliance with US counterinsurgency operatives, national politicians and businessmen set about a twofold

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<sup>6</sup> Oil production declined from 80.000 barrels per day in 1980 to a fewer than 10.000 in 2003 (Sankey 2014).

project. The project combined profiting from the neoliberal accumulation regime with the military objective of clearing the ground of its previous occupants and repressing voices of opposition. As Sankey explains, “[t]his set in motion a system in which mining projects would arrive on the Colombian landscape in the trail of paramilitary destruction” (124:2014). According to the National Mining Company Minercol Workers Union (Sintraminercol), 87% of all displaced persons originate from mining and energy-producing municipalities (35% of total municipalities), and 80% of the human rights violations in Colombia were committed in these places<sup>7</sup> (PBI Colombia 2011).

In 2001, the secret signing of the Pact of Ralito saw the formation of the alliance between elite factions of the rural elites, narco-traffickers, paramilitaries and conservative congressmen, as well as members of the transnational elites of bankers and industrialists (Sankey 2014:125). The rural elites are particularly important in this alliance, as they constitute a powerful class in the country. Indeed, land concentration in Colombia is among the highest in the world: just over 1% of landholders own over half of the country’s agricultural lands (Richani 2011). As Sankey (2014) notes, the members of the alliance of the Pact of Ralito were particularly frustrated about the ongoing peace talks between the government and the guerrilla forces and were agreeing to re-project the country in line with their interests. The election in 2002 and the re-election in 2006 of President Uribe, who represented the class of landholders, reflected this bloc’s ascendance to power. Representatives of large mining corporations also entered in the alliance. Sankey (2014) further explain that executives of companies such as AngloGold Ashanti, Drummond, Greystar and Glencore held regular meetings with national politicians. Two civil servants from Ingeominas went on to work for AngloGold, while a cousin of Santos is currently the national president of the Canadian gold-mining multinational Medoro, and a former Colombian chancellor is head of another Canadian company. In this way key actors of the mining sector have permeated the national ruling and elite blocs. This has been referred to

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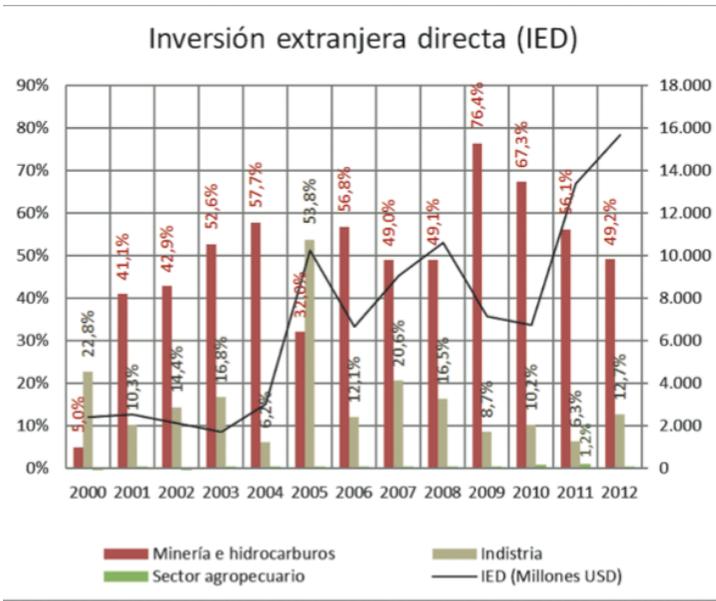
<sup>7</sup> This was exemplified by the massacres committed in South Bolívar, allegedly related to disputes between illegal armed groups over control of natural resources, or the people working in mining from the municipality of Zaragoza who fled after receiving threats from paramilitary groups (PBI Colombia 2011).

as the phenomenon of the “revolving doors”. Furthermore, AngloGold Ashanti made agreements with Uribe to remove environmental obstacles in mining regulations.

The mining policy pursued by Uribe since 2002, was based on two pillars. The first is a set of legal reforms to further privatization, labor flexibilization and incentives for the extractive industrial sector. The second pillar refers to intensified military strategies to protect the mining sector under the national plan called “Democratic Security”. Especially during his first mandate, Uribe was faced with severe challenges: attacks by the FARC increased, the budget to fund the war was running thin leading to a deficit of 6 per cent, and the new “war tax” had become unpopular among the economic elite who believed the tax was limiting trade and investments (Richani 2012). To face those pressures and the increasing imperatives of war, Uribe decided to integrate the country’s economy on the basis of the principle of “comparative advantage” which would limit its economy to the export of crops, mining, gas, oil and services. The mining industry was offered exceptional incentives in forms of tax exemptions and the adjudication of mining titles. Just AngloGold Ashanti acquired 496 mining titles on 825,000 hectares and exploratory titles on a further 2 million hectares (Pulido & Osorio 2011). Uribe’s measures in the mining and energy sectors created the conditions under which Colombia would be defined a “mining country”.

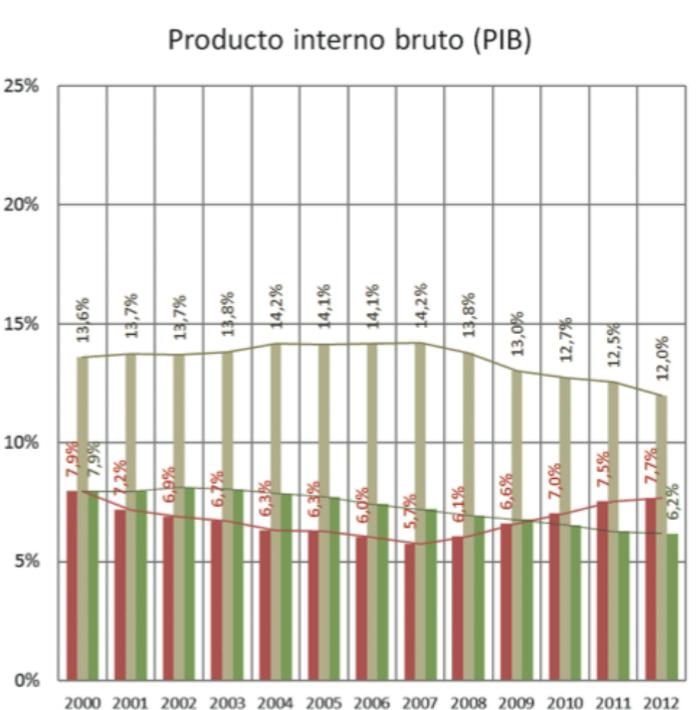
The consequences of those measures were indeed those of a mining boom, as demonstrated by the rise in foreign direct investments during Uribe’s second mandate (Banco de la Republica, n.d). As we can see from the Graph 1, foreign direct investments in mining and energy have experienced a boom since 2001, encountering a period of uncertainties in 2005 and then speeding up again after that year. By looking at the impact of the industrial, mineral and agricultural sectors on GDP in Graph 2, we can see that especially since 2008, the production of minerals and hydrocarbons began to surpass agriculture and to approach industry among the main sectors of the Colombian economy (Contraloría General de la Republica 2013).

Graphic 1: Foreign Direct Investments (FDI)



Explanation in English: Red= Mining and hydrocarbons; Green=agriculture; Beige=Industry; IED=FDI

Graphic 2: Gross Domestic Production (GDP)



Since Santos took office in 2010, national mining strategies have accelerated in the same direction and consolidated into the national economic plan of Colombia. In contrast to Uribe, whose political weight was tied to that of the rural elites and military and paramilitary officers, Santos represents a different ruling block i.e. the urban elite of industrial and finance capitalists, joined by some agro-industrialists (Sankey 2014). This

differentiation is important for how the extractives are related to the war dynamics. While the rural elites benefitted during Uribe's presidency from the war-extractive capital nexus, the same rural bloc would more likely lose out in a peace agreement. Indeed, the reactionary and military approach to build economic projects in Colombian territories through the support of the rural elites under Uribe, is being replaced by an economic strategy of enhanced stability by negotiating with what is seen as the major barrier to foreign investments i.e. the FARC. While the extractive model is firmly off the negotiating table, land reform and rural development are issues that constitute the first items of the peace agreements, and which were definitely non-negotiable for Uribe. Indeed, as Sankey notes, while high-level executives are taking part of the peace agreements, representatives of cattle ranchers associations are not. Also, for the first time since the 1960s, serious frictions are starting to rise between the rural oligarchy and the national and transnational economic ones.

One of the leading objectives of this transnational economic elite is investment in extractive capital. The importance of the extractive sector under Santos office is demonstrated in his national economic plan. The mining boom that has been underway was made public with Santos' announcement that mining would become one of the "economic engines" (literally "locomotives") of Colombia's development, bringing "prosperity to all, more jobs, less poverty and more security". The government insisted on the need to increase large scale and open pit mining for the country's development, as put forth in the "National Plan for Mining Development and Environmental Policy Vision Colombia 2019". Following this decision, the government created what are known as "mining districts" and categorized them by their level of mineral concentration, their volume of production, and the tradition of mining in the area (PBI Colombia 2011). Also, in October 2014 a new decree was passed on the environmental licenses, also called by its critics as "*licencias express*". With the new decree, the idea is to reject an extractive project in the first 20 days, unless they have a minimum quality criteria, and to approve it in no more than 4.5 months, which is seen as a limited time to conduct the appropriate environmental, as well as social, inspections by the qualified entities.

Furthermore, this scenario of intensified extractive activities undertaken by Santos has been accompanied and favored by the implementation of the free trade agreements (FTA) with thirteen countries including the US, the European Union and Canada. The Colombian government is also negotiating further agreements with Panama, Turkey, Japan, Israel, the Pacific Alliance and the Dominican Republic (Cortés 2013). Although the agreements were frozen with the US due to human rights violation against trade unionists, they were signed in 2012 on the argument that the Santos government was showing concrete political will to commit on the front of human rights. However, Cortés (2013) point out that the implementation of the FTA with the US in 2012 exacerbated the levels of violence in rural areas, which have occurred due to disputes over productive and resource-rich territories that promise raw materials with high market value. Moreover, the implementation of the FTA's with the European Union in August 2013, was the main trigger behind the national agrarian strike started by peasant farmers from different regions of the country. The farmers were protesting against neoliberal policies that forced them to compete with highly subsidized products from Europe, as well as a threat to indigenous and Afro-Colombian lands and territories. As stated by the Norwegian Free Trade Campaign (2009), while trade would favor agricultural exports to EFTA counties, export orientation of raw materials, liberalization of import control and prohibition on export restrictions entails that large international companies have the right to establish mega projects based on extraction of natural resources and dam projects.

## **2.1 A peace-building perspective on Colombia's extractive economy**

An array of scholars and social movements stress the critical relationship between the economy of the extractives and the dynamics of war and peace in Colombia, are stressed out by who claim that the use of resources and the management of territorial relations shape the country's prospects for peace-building. In particular, elements of social justice, public participation and sustainable development are recognized as pivotal to govern economic and social relations in a way that sustains peace in the long-term. The importance of an economy of post-conflict that is in line with the objectives of peace-building is also expressed in the official rhetoric of the peace negotiations. Indeed, "The General Agreement

for Termination of Conflict and for the Construction of a Durable and Stable Peace”<sup>8</sup> signed between the government and the FARC in 2012 and which is used as a framework for the start of the peace negotiations in Havana, recognizes that "economic development with social justice and harmony with the environment, is a guarantee of peace and progress" and that "social development with equity and welfare [...], permits to grow as a country." Also, a report released in 2014 by the UN systematically addresses environmental aspects in the Colombian peace process, including the extractives, claiming the need for an harmonization of policies in the direction of sustainable peace. However, the economy of post-conflict pursued by the government remains dominated by an extractive model that is purposely not negotiated in the agreements and which will exacerbate rather than alleviate persisting dynamics of violence, marginalization and land eviction. This stands in contrast to the principles of social justice included in the General Agreement, to the UN guidelines on the links between peace and the environment, and, importantly, to communities’ claims for social and environmental justice in the Colombian mining regions.

The contradictions between extractive economy and peace-building can be particularly visible in the challenges related to land restitution. The implementation of the Victims and Land Restitution Law 1448 of 2011 is among the top priorities of the peace negotiations. The Law aims at recognizing the victims of the conflict by returning displaced people to their original lands. However, one of the principal causes of land evictions is competition over the use of the soil and subsoil for implementing economic projects (PBI Colombia). In particular, the extractive, agro-industrial and agro-fuel industries and large-scale infrastructure developments have frequently benefited from forced displacement and land grabs, through the removal of communities from strategic areas earmarked for exploitation (Amnesty International 2014). These dynamics are not under question by the current government. As Pollack explains, “the land restitution process has so far failed to ensure that powerful national or international economic interests do not benefit from investments on lands secured through human rights abuses and profit from the spoils of war” (Pollack in an article released by Amnesty International, 2014). Also, illegal armed groups have

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<sup>8</sup> Spanish: “El Acuerdo General para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera”

facilitated the arrival of multinational extractive companies by exacerbating a process of displacement in areas already historically hit by this phenomenon (Massé and Camargo 2012).

The land restitution process and other territorial plans included in the peace agreements, are intended as an opening for the country's displaced people, peasants, indigenous groups and Afro-descendants who have longed struggled for land, protection of natural resources and cultural rights. While this opening is a step forward compared to Uribe's forceful militaristic approach, the model of resource extraction intended to attract investments in a post-conflict country, poses a continued externalization of costs on precisely those communities. As Zibechi (2012) has pointed out: "for social movements the end of the war does not mean peace, but the continuation of the struggle in a more favorable atmosphere".

Thus, socio-environmental conflicts related to the extractives are on the rise in the Colombian post-conflict era and would need to be addressed through a comprehensive perspective on the environment, societal issues and territorial dynamics in a post-conflict context. In this vein, Garavito, in an article where he reacts to the government's denial of democratic popular mechanisms on extractive operations<sup>9</sup> (which I discuss in Section II), argues: "the post-conflict depends on how this type of socio-environmental disputes are resolved, because the map of territories that the government considers a priority for the consolidation of peace, coincides with that of the municipalities with mining rights, environmental protection areas or with water problems".

In his argument, Garavito mentions the UN report of 2014, called "Environmental considerations for building a stable, lasting and sustainable territorial peace in Colombia"<sup>10</sup>. The report states that more than 90% of municipalities with priority in the peace accords have some form of protection or regulation of the use of their lands, and are therefore key

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<sup>9</sup> Garavito, C.R., *¿Paz territorial sin paz ambiental?*, 12<sup>th</sup> of February, 2015. Retrieved at: <http://www.elspectador.com/opinion/paz-territorial-sin-paz-ambiental-columna-543784>

<sup>10</sup> Translated from Spanish: "Consideraciones ambientales para la construcción de una paz territorial estable, duradera y sostenible en Colombia"

for environmental reasons. In this vein, the report argues that it is essential to understand the implications of resource extraction for peace-building in order to avoid a migration of socio-environmental conflicts to areas with mining potential. The report suggest a series of institutional measures to strengthen environmental management in relation to peace-building, such as improving the financial capabilities for national environment agencies to effectively respond to the environmental challenges related to peace in the territories.

A key aspect of the environment-peace nexus relates to the importance of popular participation. The issue of participation in relation to the peace process has been not only stressed out widely from communities and organizations, but also within the highest institutional arenas of the peace process. The High Commissioner for peace, Sergio Jaramillo, centered his talk during a conference named “Territorial Peace” exactly on the issue of participation, although it is ‘territory’ and not the ‘environment’ the arena where to apply participation. Jaramillo argues that the civil conflict has impacted the country creating serious flaws in the institutional capability, in the ability to produce public goods and to satisfy human rights throughout territories, which are all issues that can only be fully re-addressed trough a mobilized population. As he explained:

“We must think big on the issue of participation: a national campaign for participation must be undertaken to mobilize people in the regions around the construction of peace. [...] Participatory planning involves "bottom-up" processes in the territories. If we think of justice in this way, we understand that the overarching objective of justice in a peace process is none other than the equitable reconstruction of social order and cooperation in the territories to restore the basic rules of society, guaranteed rights and welfare, and to ensure the non-recurrence of conflict. This means to value and asserts the rights and capacities of the people; *this is the way they can feel the ownership for the reconstruction process*<sup>11</sup>.” (Sergio Jaramillo, speech 13<sup>th</sup> of March 2014, University of Harvard<sup>12</sup>. Translated from the Spanish by me).

While Jaramillo’s talk reflects the government’s enhanced appraisal for the notion of territorial peace and its links to popular participation, his arguments do not held up until

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<sup>11</sup> Emphasis added by me

<sup>12</sup> <http://www.eltiempo.com/archivo/documento/CMS-13791996>

socio-environmental issues are included. As long as the government represses the discontent deriving from extractive conflicts, limits participation on environmental issues and hence, accommodates dynamics of human rights abuses and violence in those territories, the equation territory-peace remains unresolved. As Garavito insists: “*no territorial peace can exist without environmental peace*”<sup>13</sup>. It is clear that if looking at the official rhetoric of the peace process, this implies that the governance of the extractives must avoid the generation or re-generation of violence and include public participation. The government, especially in the international arena, tends to stress out the societal, economic and territorial factors that contribute to long-term peace-building. At the same time, the fact that it systematically avoids to discuss the impact of the extractives in the current efforts for peace-building, is troublesome. Not only are concerns regarding extraction not included in the agenda on territory and peace, but also, they are advertised as *the* driving force of the country’s economy, and as a way of financing the peace process. Notwithstanding the critics on the national economic benefits of the extractives, this position is highly problematic on the perspective of peace as well as democracy. The obscure side of the peace agreements between the government and the FARC is about the costs imposed on the peace of the communities facing extractive exploitation. So, once the peace agreements are settled, a legitimate question is: for whom is this peace? While Santos is putting the ground for the country’s first concrete steps towards the end of the civil war, it will take a new democratically elected government, which is not tight to the type of extractive industrialists and corporate elites sustained by and sustaining Santos, to put forward a more progressive agenda toward peace building.

However, as the future of the Colombian governmental politics remains highly uncertain, it is the social movements and the communities who struggle in the face of extractive exploitation, together with sectors of civil society and transnational actors, that are advancing a more consistent, although unofficial, agenda for environmental and territorial peace. In the next section I explain the rising conflicts connected to resource management and governance in Colombia and reflect on what communities’ claims around the

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<sup>13</sup> Garavito, C.R, *¿Paz territorial sin paz ambiental?* 12<sup>th</sup> of February, 2015. Retrieved at: <http://www.elspectador.com/opinion/paz-territorial-sin-paz-ambiental-columna-543784>

environment and their proposals for resource uses means for the paths towards long-term peace building.

### **3- An “unofficial” peace-building process? Other patterns of resource governance**

In Chapter 2 I have discussed the contradictions between the extractive economy and peace-building, highlighted that socio-environmental conflicts between communities and extractive industries are on the rise and argued for the importance of a consistent agenda for territorial and environmental peace. Here I discuss the role of civil society movements engaged in socio-environmental struggles in Colombia as a central actor in advancing that

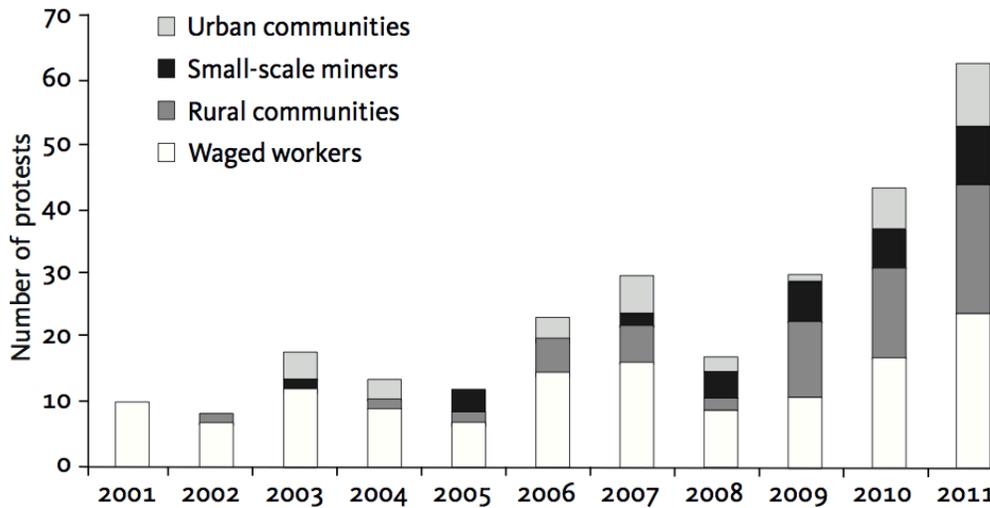
agenda. I argue that civil society movements are advancing other modes of governing resources, which lay the ground for peace-building process in the country.

In the following, I first give an overview of socio-environmental conflicts in Colombia and explain their inherent claims, by referring in particular to plans for food sovereignty. Secondly I discuss why I consider that civil society groups engaged in processes of resource contestation are already enacting unofficial practices for peace-building.

### **3.1 Contested resources and food sovereignty**

The last decade in Colombia has seen a rise in socio-environmental conflicts around resource extraction. The Colombian social research institute CINEP, explains that social struggles around extractive resources have risen almost steadily in the last decade surpassing the number of labor mobilizations (CINEP 2012). While until 2001 the waged workers were the central agents of the social protests in the country, later on rural communities (which include indigenous groups and peasants), small-scale miners and urban communities largely entered the scene of the mobilizations (See Graphic 3). Those changing dynamics are related to the rise of mining companies' practices of dispossession of communities from land and resources (Sankey 2014).

The following graphic shows the changes of the type of social actors involved in the social struggles related to extractive resources in Colombia since 2001.

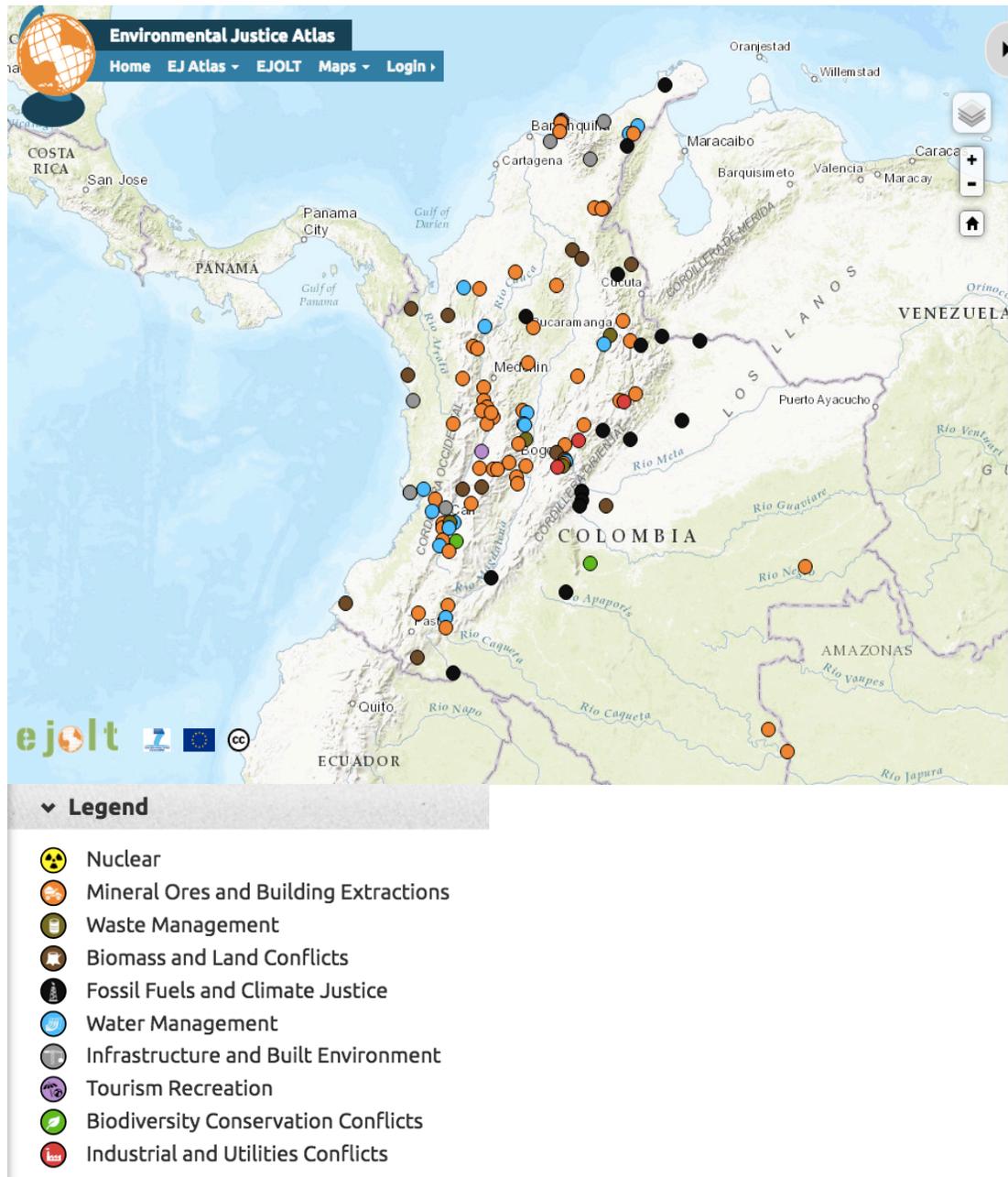


Graphic 3: Participation of various actors in social struggles relating to the extraction of oil, coal and gold 2001-11 (Source: CINEP 2012, adapted by Sankey 2014:135)

The motivations behind the mobilizations featured in graphic 3 are in order of importance: failure to comply with agreements (24%), demand for respect for rights (16%), the environment (14%), mining policy (14%), labor demands (12%) and employment demands (7%) (CINEP 2012). Those motivations are commonly based on claims of social equity and justice, which importantly relate to how societies organize around the environment (although the value placed on the environment itself may change depending on the context of the conflict). In this vein, Pérez-Rincón (2014) sees socio-environmental conflicts as “the manifestation of social contradictions in the human-nature relationship”.

As for the type of contested resources, the global research project Ejolt provides an interactive map of socio-environmental conflicts across the globe (See: <http://www.ejolt.org/>), categorized by the type of resource or infrastructural project. The Ejolt project in collaboration with the Cinara Institute of University de la Valle conducted the country level study on Colombia to identify the socio-environmental conflicts currently taking place in the country. The findings show the existence of 72 conflicts between communities and extractive industries, among which more than half were generated during Uribe’s mandate and are believed to have affected about 8 million people in Colombia. The numbers of environmental conflicts and its affected people are among the highest in Latin America. The study shows a numerous presence of conflicts over mineral ores and building

extractions. It also signals, among the responsible for environmental conflicts, the fumigations with glyphosate, the logging companies in the Choco, the resorts in the Tayrona and hydroelectric works, like the one in Quimbo.



Map1: Socio-environmental conflicts in Colombia, categorized by type of resource, environmental activity or infrastructure. (Source: Ejolt: <http://www.ejolt.org/>) While the intensified policies for resource extraction accompanied with land dispossession have been the major catalyst for socio-environmental conflicts, mobilizations around

resources are also linked to the rising influence of the political movement of “La Marca Patriótica”. “La Marcha” was created in Colombia in 2012 to unify the social and leftist movements that advocate for a negotiated solution to the armed conflict, for an integral agrarian reform and for the right of victims to reparation and land restitution. The movements also oppose mega-projects, such as large-scale and transnational mining operations (Osorio 2012). The socio-environmental mobilizations taking place in Colombian territories, can be seen as regional expressions, or as Sankey (2014) puts it, as regional councils, of the national movement of “La Marcha”. Although the civil society groups that contest extractive projects don’t necessarily identify themselves with a particular political movement, “La Marcha” represents an important reference point at a national level for those engaged in environmental and social causes.

More generally, the social movements in Colombia claim that constructing peace can only be possible along with social justice, which entails practices for democratic participation on the governance of resources. In this vein, socio-environmental movements show to have a more holistic understanding of the negative links between intensive resource exploitation and the ongoing peace process (which I discussed in chapter 2), than what is demonstrated by the official commitment on the agenda for peace. Moreover, the common claim for peace with social justice, show that the social movements committed for peace and the social movements struggling around resource extraction have not necessarily divided agendas, but rather, they are moved by some common ideals about the paths to undertake in the post-conflict.

Also, while acknowledging the engendered violences in resource extraction, socio-environmental movements in Colombia advance ideas for other patterns of governing resources. A chief claim is that tools for resource governance should promote food sovereignty. A term coined by the international grass roots and peasant organization “La Via Campesina”<sup>14</sup>, food sovereignty indicates the right of people to define their own food

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<sup>14</sup> According to their own website, “La Via Campesina” brings together millions of peasants, small and medium-size farmers, landless people, women farmers, indigenous

and agricultural systems according to their culture and to their health needs. Advocating for food sovereignty, or in Spanish “la soberanía alimentaria”, is perceived as important not only because resource extraction contaminates water and agricultural lands, but also because it threatens the small-scale and socio-economic organization around agricultural systems. In this vein, the movements claim that land and agricultural reforms should strengthen the institutional apparatus through national and local capacity rather than foreign one. As land ownership is very vulnerable to the dynamics of the civil conflict, undertaking measures for food sovereignty is seen as critical to inhibit the endured violence that the conflict has generated within Colombian territories.

A concrete plan to promote food sovereignty in the country is reflected in the project to establish the *zonas de reservas campesinas*, which can be translated as ‘peasant reserve zones’. Deriving from the institutional example of the ‘resguardos indígenas’, which are indigenous territories governed by special status, those zones were already included in the territorial plans of Colombia of 1994. However, their application has counted a number of only six areas officially recognized by the government. During the current peace process the issue of the ‘reservas campesinas’ has been brought up in the negotiation table. Several peasant groups also consider the institution of the “reservas” as a popular initiative to respond to displacement and to face resource extraction (Ouviaña 2015). In particular, those groups work on ensuring that demands about other forms of community life in the rural areas are taken into account. Furthermore, peasants’ groups reject legislative initiatives like the “Ley de Baldios”, which aims to dismember the territorial and organic production spaces built in these areas to make space for the interests of multinational companies. According to Ouviaña (2015), peasants initiatives demonstrate the importance of having popular movements that can lead the process for peace with social justice (in Spanish “la paz con justicia social”).

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people, migrants and agricultural workers from around the world. It defends small-scale sustainable agriculture as a way to promote social justice and dignity.  
(Source: <http://viacampesina.org/en/index.php/organisation-mainmenu-44>)

Despite the social motives behind mobilizations around resources, several national politicians have attempted to link social movements to the FARC (Osorio 2012). There are also continuous attempts to confer a negative image on the movements by labeling them as “radical environmentalists”, as I could personally observe during my time in Colombia. Those condemnations are emblematic of how struggles to protect the environment are seen as detached from their social dimensions and as separate from local efforts towards the construction of peace. It also shows a limited understanding about the value of nature for communities that are living outside of the dominant development schemes.

Following I conclude Section I by providing a discussion on the importance of civil society movements in environmental governance and peace-building.

### **3.2 Discussing the importance of civil society in environmental peace-building**

As explained in the first part of this section, current policies for resource extraction tend to exacerbate rather than alleviate the dynamics of violence in Colombian territories. A central claim in this study is that intensive resource extraction creates the conditions on the ground for Galtung’s structural violence, which inhibits the possibilities for peace-building. This violence, is not only the physical or visible violence related to the dynamics of the civil war, but it is also a form of violence that has a high political and social connotation related to unbalanced power relations expressed in socio-environmental conflicts. While the word peace-building defined by Galtung became historically related to international programs with little clue about the local dimensions, in this thesis I understand peace-building in its usefulness as a long-term practice at sub-national levels, through both formal and informal institutions and conscious or unconscious local agency (see Cleaver 2012).

In this vein, civil society movements who react to the violence engendered in extractive activities by contesting them and claiming for other paths of governing resources, not only bring about relevant concepts for the construction of peace, but also, they activate local engagements in the direction towards that peace. In this vein, resource contestations do not only occur to oppose large-scale extraction, nor as a simple act of defense towards water, agricultural resources or socio-cultural issues. Rather, by giving centrality to the role of civil

society in the national environmental agenda, resource contestation is a dynamic process that restructures the terms of environmental governance and pushes towards better democratization and inclusiveness of institutions. I argue that those processes of sub-national environmental governance have the potential to contribute to long-term peacebuilding in the country as they address the roots elements for societal cooperation, and therefore form the basis of what can be called, *environmental peacebuilding*.

Among scholars, the importance of the role of civil society in either the field of peace building or in environmental governance is not something new and has been documented and discussed widely. However, there has been little scrutiny for how participation in environmental governance, including the extractives, can sustain peace-building, and for how the two spheres can be understood as part of the same long-term societal project. Although the more recent environmental peace-building approach is intended to fill this gap, it is crucial that this approach overcomes the fixed power structures that are often reflected in the management of peace and the environment. Indeed, international peace-building programs have often failed to constructively engage with local dimensions, thus undermining the importance of social relations, especially in relation to the governance of resources. An environmental peace-building approach should acknowledge those shortages and, in line with what is suggested by Conca and Wallace (2013), advocate for local ownership of the social processes around resources. For those reasons, civil society actors should have a chief position in defining and governing those processes and negotiating with other actors on those matters.

I argue that it is also limited to view claims around food sovereignty and popular democracy in Colombia as mere acts of opposition towards the state. At a closer look, there is a consistency in the political project of civil society movements struggling for resources with the objectives that are officially defined in the peace agreements. Ultimately, resource contestation in Colombia advances rather than oppose certain national objectives. In this vein, the formal institutions in place can either restrict or amplify the possibilities to render the unofficial agenda advanced by the movements applicable.

Finally, analyzing socio-environmental conflicts less in their “conflictive” character and more in their transformative one, less on the difference of values between local and national interests and more on the mutual objectives between those spheres, means to further better communication between fields of power. If national and transnational actors and peace-building managers were to better appraise the social project inherent in claims around resources, this would contribute, at least, to give local actors better leverage in the national project for peace-building. On one side, significant communication between actors at different position of power is difficult to apply, especially in the tense institutional and political environment of a country long hit by war. However, it remains important that research work and civil society initiatives further this communication and continue to address the roots elements for societal cooperation.

In the next section I move to the case study of “La Colosa” gold mining project. This has been the primary empirical focus of the thesis. In particular, I analyze and discuss the importance of mechanisms for popular democracy of the *consultas populares* through primary data collected during my fieldwork. The case study is intended to shed further light on the issues exposed in Section I, and to provide a more in-depth understanding of specific social aspects that are key in the governance of mining.

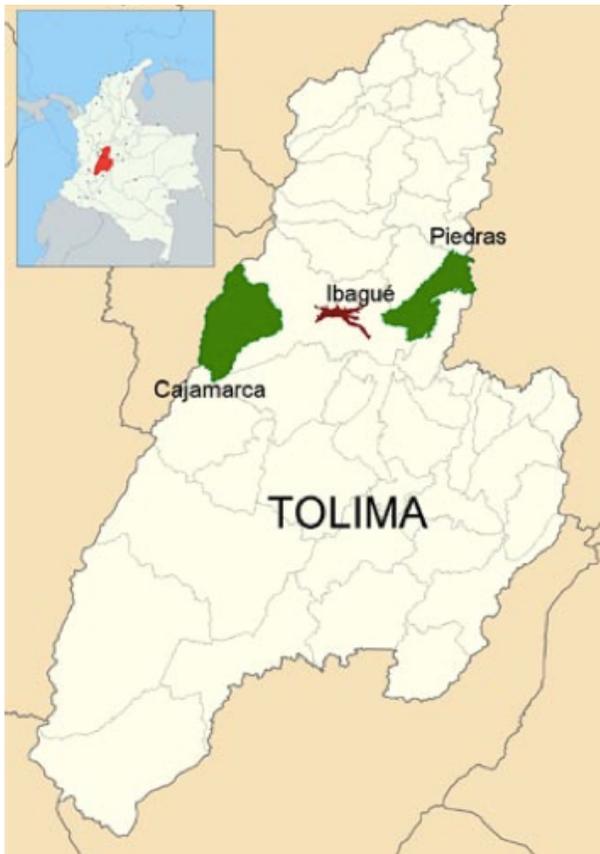
## **Section II**

### **Legitimizing popular democracy in the case of “La Colosa” gold-mining project**

#### **4. Background information on “La Colosa”**

##### **4.1 Site of extraction and the role of Anglo Gold Ashanti**

*La Colosa* is a gold mining project owned by the South-African mining company AngloGold Ashanti. The project is currently in the exploration phase and is expected to start the extractive activities in 2019. *La Colosa* is located in the Colombian municipality of Cajamarca, and its current exploration activities take place in the mining district of *Aanaima Tocha*, also named *Colosa Regional*. This area is known in the country for being the agricultural hub of Colombia and partially coincides with a forest reserve. The following map shows the Department of Tolima and highlights three areas of the region: the area of the municipality of Cajamarca where “La Colosa” is located, Ibagué, which is the capital of Tolima, and Piedras, where the company has planned the construction of a tailer dam.



Map2: The Department of Tolima, its capital Ibagué, and the municipalities of Cajamarca and Piedras.

The “La Colosa” gold mining project is extremely significant to AngloGold Ashanti (abbreviation: AGA). On the day the gold discovery in “La Colosa” was announced, the Ministry of Mines and Energy talked about a gold deposit that would be one of the 10 largest

in the world, estimated at 12.9 million ounces (Moz), equivalent to nearly 22 billion dollars (Colombian Solidarity Campaign 2013). However, this estimate has shown an upward trend: in a more recent report the company announced a resource of 26.85 Moz, which is equivalent to almost 60 billion dollars (AngloGold Ashanti 2013). As stated in the report by the Colombian Solidarity Campaign (2013), the main question facing the company appears to be about how large the deposit may turn out to be. At a conference on mining in Latin America held by Scotiabank, AGA stated: “La Colosa is a large, world-class gold resource and is getting bigger [...] and is only the tip of the iceberg given a wealth of targets in Colombia”<sup>15</sup>.

According to the municipality’s land records (as of 11 January 2013), 576.86 hectares are held in AGA’s name, consisting of twenty farms in rural areas, and four properties in the urban area. However the Colombian Solidarity Campaign (2013) have reported huge inconsistencies in the record, and states that AGA has not made its land acquisitions public. According to information from their interviews with farmers and inhabitants of Cajamarca, the company has acquired, or is acquiring, land in the districts of El Diamante (1,068 hectares), La Luisa (900 hectares), Potosí (2,000 hectares), La Bolívar (1,000 hectares), totaling 4,968 hectares. According to the report of the Campaign:

“The change in the makeup of the region’s land ownership results in changes to the territory’s production and environment, as well as all the local society. Furthermore, it implies a reconfiguration that gives AGA a dominant position in local politics. Another effect of the accumulation of land by AGA is that of speculation in peasant small-scale farm lands. According to interviews with small-scale farmers, the price of land in the city has soared due to speculation generated by the mining project.”(p.66).

The land used by the large-scale mining operation extends much further than the open-pit, the hole which is excavated in order to access the ore and from which the ore (and waste rock) is removed (the main steps are summarized in Figure 1; Colombian Solidarity Campaign 2013). Once the rock is taken from the pit, it is classified either as waste rock or ore. The waste rock is rock that does not contain enough gold to be economically exploitable, and the ore is rock that does contain enough gold to be processed. The waste rock is transported to a rock dump,

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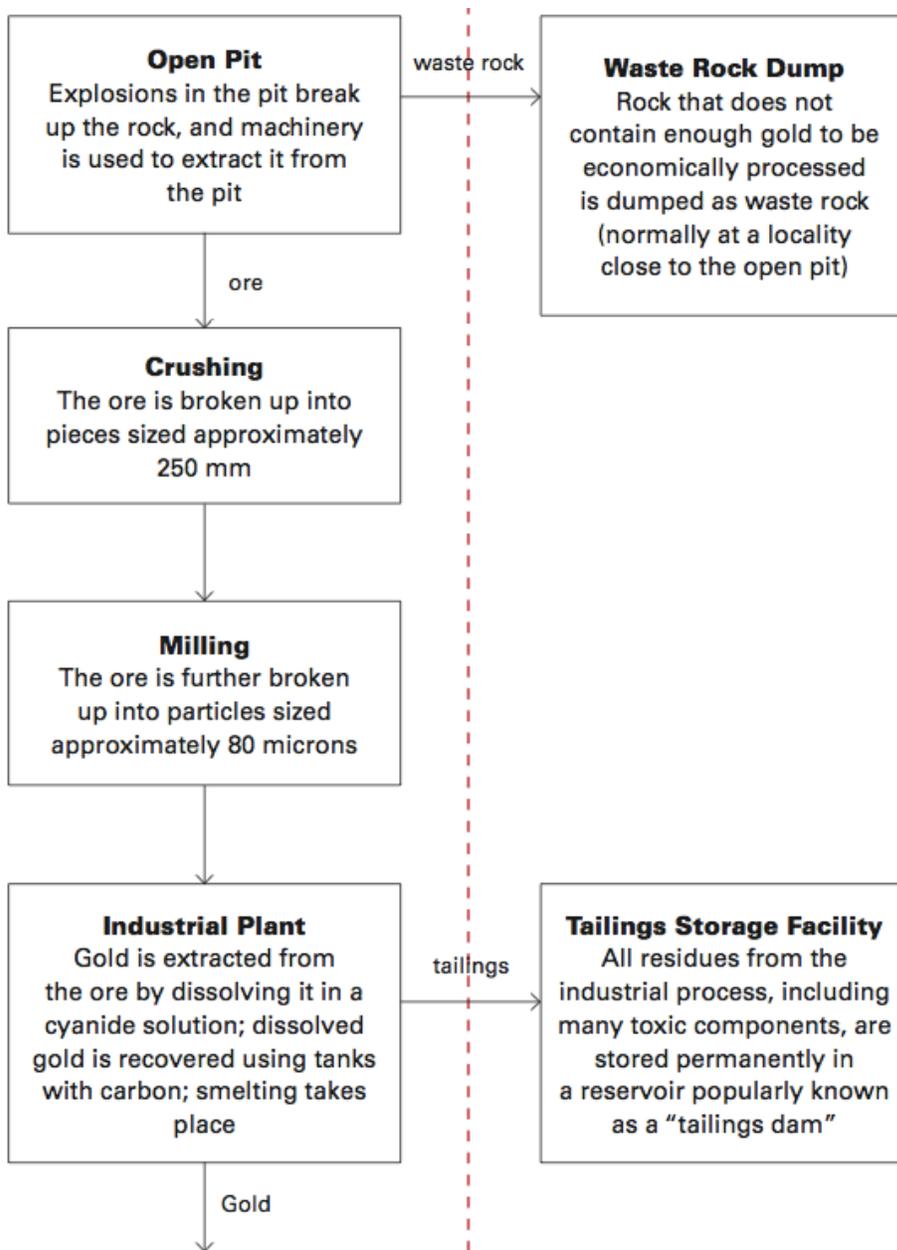
<sup>15</sup> AngloGold Ashanti. Compelling Value: The AngloGold Ashanti Story. Scotiabank Latin American Mining Conference 2012

and the ore is crushed and milled into small particles. The extraction of gold from the milled ore takes place at an Industrial Plant, using a process of chemical leaching with cyanide. This leaching process produces highly toxic residues (the tailings) that are stored in a particular type of dam called a Tailings Storage Facility (TSF). The rock crushing machines are normally located as close to the pit as possible. However, the waste rock dumps, the grinding machinery, the treatment plant and the TSF can be located in different places. They may be a considerable distance from the pit, although transporting material for longer distances increases operational costs.

All the operational steps in Figure 1 require considerable areas of land. In addition, the methods of transport to move the material from one step to the next (be they roads, railway lines, conveyor belts or slurry pipelines) also require significant areas (Colombian Solidarity Campaign 2013). Indeed, AGA is not just looking towards the mountains, where Cajamarca and “La Colosa” are located, but is considering other territories to install the tailing dam. In 2008 Robert Moran, a renowned hydrogeological expert in open-pit gold mining, expressed concern about the location of a possible tailings dam in Cajamarca. Due to the highly unstable seismology and topography of Cajamarca, a breach could mean the risk of a toxic waste spill into the River Coello basin. The rice-grower municipality of Piedras has been the priority area for the company’s plan to install the plant, although other municipalities of Tolima are considered, such as Ibagué, Coello, San Luis, San Juan, Guamo and Espinal (Colombian Solidarity Campaign 2013).

Figure1: A simplified flowchart showing the operational stages of gold production. In its promotional material, AGA does not illustrate the waste rock dump or tailings storage facility used to store toxic waste, both of which form very significant parts of the mining

infrastructure. (Source: Report of the Colombian Solidarity Campaign 2013. The figure is based on letter from AGA to La Silla Vacía and discussion with Mark Muller.<sup>16</sup>



<sup>16</sup> Link to the letter: <https://www.scribd.com/doc/124253078/AngloGold-Ashanti-Respuetas>



Photo: Earthen tailings impoundment dam at Fort Knox gold mine in Alaska. This tailings impoundment dam at the Fort Knox gold mine in Alaska is a common method of storing mining waste forever. (Photo retrieved: <http://www.groundtruthtrekking.org/photo/typical-mine-tailings-dam/>)

Regarding the explorations works, The Colombian Solidarity Campaign (2013) reports that the respondents that they interviewed have stated serious inconsistencies and irregularities within the exploration works at “La Colosa”, including unauthorized water use, forest clearance and improper handling of hazardous substances. These cases highlight a violation of the sector’s regulatory framework, and represent a risk to workers, neighboring communities and the surrounding environment. AGA has also managed to quietly obtain additional forest reserve exclusion permits. As reported by the Colombian Solidarity Campaign, the inhabitants of Tolima were, in this case, denied the opportunity to participate in a decision that may have significant impacts on their future wellbeing. These situations are aggravated by the weakness of relevant institutions at the national and regional level. At a

national level, it also raises concerns about a change in Colombian law that no longer requires an Environmental Impact Assessment conducted by the appropriate regional environmental authorities to take place for the exploration phase of a mining project (Colombian Solidarity Campaign 2013).

#### **4.2 Environmental impacts: water and climate change**

The process of environmental concessions of “La Colosa” is exposing some of the irregularities in the process and the associated environmental risks.

For example, in 2011, the local attorney of Ibagué filed a class action before the Administrative Tribunal of Tolima citing irregularities in the issuance of mining concessions located in the Combeima and Cocora river basins (Colombian Solidarity Campaign 2013). These are the only rivers that supply water to the city of Ibagué. Of the fourteen concessions listed in the class action, eight are in AGA’s name. The regional newspaper El Nuevo Día counted twenty AGA mining concessions on the river basins that supply water to the city.

According to climate change predictions for the country, over the next 27 years, it is expected that there will be an increase in temperature and decrease in relative humidity<sup>17</sup>. This would imply the reduction of available water for human consumption and agriculture. According to a study by the Ministry of the Environment about adaptation to climate change, the Municipality of Cajamarca is one of the most vulnerable to climate change in the country<sup>18</sup>. This issue would be exacerbated by the development of mining in Cajamarca.

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<sup>17</sup> Instituto de Hidrología, Meteorología y Estudios Ambientales. IDEAM. *Segunda Comunicación Nacional ante la Convención Marco de las Naciones Unidas sobre el Cambio Climático*. Bogotá, 06, 2010.

<sup>18</sup> Ministerio de Ambiente Vivienda y Desarrollo Territorial. *Estudio de la Vulnerabilidad y los Impactos Adversos del Cambio Climático en los Páramos y Humedales Altoandinos de Colombia*.

Moreover, part of “La Colosa” is located in páramos areas (approximately 50 hectares of a total of 515 hectares), a high altitude eco-system that is very vulnerable to climate conditions (Colombian Solidarity Campaign 2013). An article<sup>19</sup> published by The Guardian states that according to the Bogota-based Alexander von Humboldt Institute, Colombia’s paramos are the most extensive on earth and supply more than 70% of the country’s population with water. Those areas are protected from agricultural activities or exploration activities. According to the overlap between *páramo* areas and AGA mining concessions, the company should relinquish nine mining concessions (Colombian Solidarity Campaign 2013).

Furthermore, the Colombian Solidarity Campaign (2013), notes that the proposed mine’s water and electricity consumption would be greater than the total domestic consumption of all the inhabitants of Tolima. This would explain why, throughout Colombia, hydroelectric projects are being developed that appear to be principally destined to serve projects such as La Colosa rather than the local inhabitants’ needs. Other environmental concerns reported by the organization include inappropriate handling of hazardous waste and logging.

It is also important to note in this regard, that AGA was awarded in 2011 the prize of Most Irresponsible Company in the World by Greenpeace due to contamination of drinking water in its Ghanaian operations that affected local people<sup>20</sup>.

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<sup>19</sup> <http://www.theguardian.com/environment/andes-to-the-amazon/2016/feb/21/colombia-bans-oil-gas-mining-paramos>

<sup>20</sup> <http://www.greenpeace.org/africa/en/News/news/South-African-Corp-Wins-Public-Eye-Award/>



Mountains, waters and agricultural lands of Cajamarca. Photos: Juliana Maisto

## 5- The exercise of “consulta popular” to impede gold extraction in “La Colosa”

Popular contestations against “La Colosa” have taken different forms since the project became publicly known in 2007. Some are actions of resistance such as organized protests and road blockades, while others are educational tools aimed to spread information within schools and universities about the consequences of large-scale mining. The most central role in the contestation is being played by the process to realize municipal referendums on mining, known as *consultas populares*, in the municipalities that would be affected by “La Colosa”. Since the implementation of *consulta popular* in Piedras in mid-2013, processes to realize referendums in other municipalities of the mining region have taken place. The right to exercise a *consulta popular* has become central in the popular strategies to contest “La Colosa” and has been discussed in its legitimacy in the public debate on large-scale mining nationwide. Processes to realize *consultas populares* have taken important steps in Cajamarca, the town closer to the gold mining site, and in Ibagué since the early weeks of 2016. Annual marches in Ibagué and the environmental seminars at the university of Tolima have continued to generate awareness about large-scale mining and to enlarge the social basis for the opposition to “La Colosa”. The common feature of those forms of contestation is to create spaces of public influence to impede the start of the mining activities. Indeed, instead of mobilizing against a mining project that is already operational and for which most of the financial investments have already been made, contestations on large-scale mining in Tolima intend to influence the early phases of the decision-making process of the mining activities. In particular, the exercise of *consulta popular* appears to be the most relevant space for public and democratic participation.

In this chapter I focus on the process to organize *consultas populares* in Tolima. I also briefly describe other forms of social contestation that accompany the organization of the consultations. Following, I give a look at what local referendums on mining consist of at a more general level in Latin America, and then I explain what is peculiar with the specific right for *consulta popular* in Colombia. Later I move on describing the recent history of the organization around popular consultations in the cases of Tolima.

## 5.1 Overview of mining referendums in Latin America

As documented by Walter and Urkidi (2015), community mining votes, such as *consultas vicinales*, *comunitarias* and *populares*, have spread since the early 2000s in the context of mining conflicts in countries such as Peru, Argentina, Ecuador, Colombia and Guatemala (See Table 1). In all those cases, *consultas* are a product of broader social mobilizations against mining operations or infrastructural projects and express the claims of enhanced consultation between the affected communities and extractive industries. The referendums are usually enacted during the phases before mineral extraction is supposed to start. In this vein, Kirsch (2014) frames *consultas populares* within what he calls the “politics of time” of mobilizations around mining projects. Thus, *consultas* are part of grass roots level practices intended to influence governance processes around mining at an early stage. This element of time is also central in the practice of the rights to prior consultation and consent. However, differently from these, referendums on mining are not mediated by national authorities or industry representatives but enacted and organized on the basis of a popular initiative. All of the *consultas* listed by Walter and Urkidi have resulted in a clear majority of votes rejecting mining. However, the outcomes of the votes are generally contrasted and delegitimized by national authorities and are sometimes accompanied by violent episodes of repression towards the organizers and supporters of the process. At a general level, local referendums on mining have impacted the politics of consultation in significant ways: they create renewed spaces of public influence on the governance of large-scale mining projects and reframe the relations between communities, extractive industries and the state.

Walter and Urkidi (2015) present different examples of community referendums, showing that each of them follow specific voting procedures and are regulated by one or more set of legal frameworks. There are cases in which *consultas vicinales* or *comunitarias* take place through informal arrangements that do not make use of the official voter lists and where individual votes are publicly disclosed. These types of referendums represent particularly hybridized institutions that blend customary participation practices with more formally regulated voting procedures. In other cases, the mining referendum follows the aspects of a regular election through ballots and secret votes. However, in order to gain legal

legitimization, the organizers of this type of referendum often frame it as a community consultation that falls under ILO169, and not as a distinctive form for local participation. Finally, there are cases where the organization of popular referendums on mining is regulated by a set of codes, treaties and laws at different governance levels. In such cases, the popular initiative aims for the legitimization of the referendum as a distinctive right for community participation.

Given that those community mining referendums draw from an array of legal frameworks and follow both formal and informal arrangements, Walter and Urkidi (2015) discuss them jointly as hybrid mechanisms for participation that are increasingly institutionalized in Latin American countries. The table that follows shows precisely the different types of community votes taking place in several Latin American countries in the years between 2002 and 2012. The case of Colombia included in the list is a form for inter-ethnic consultation, which is not the right of *consulta popular* that I discuss in this chapter.

**Table 1**  
Mining consultations in the context of active mining conflicts from 2002 to 2012.

	Consultation case	Conflict duration	Date of consulta	Mining project and mining company	Consultation						
					Secret/non secret	Uses official voters list (Y/N)	Type of consultation (legal framework M.O.: municipal ordinance)	Participation (% eligible voters)	% against mining	% in favor of mining	% whites/null
Peru	<b>Tambogrande case.</b> District of Tambogrande (Piura)	1990–2003	01/06/02	Tambogrande project. Manhattan Minerals (Junior Canada). Gold and silver	S	Y	Local consultation (M.O.)	27,015 (69%)	93.85%	1.98%	4.17%
	<b>Majaz/Río Blanco case.</b> Ayabaca and Pacaipampa district (Ayabaca Mun.) & Carmen de la Frontera district (Huancabamba Mun.), Piura	2002–today	16/09/07	Majaz project. Monterrico Metals (UK, junior). Sold in 2007 to Zijin Mining (China). Copper, molybdenum	S	Y	Pacaipampa (local consultation, M.O.) Ayabaca (local consultation, M.O.) Carmen de la frontera (local consultation, M.O.)	6091 (71.47%) 8873 (50.09%) 3053 (59.26%)	17,033 (94.54%)	285 (1.58%)	699 (3.88%)
	<b>Candarave case.</b> Districts of Candarave, San Pedro, Cairani, Calacala; Talaca, Yucamani, Calientes and Pallata (Tacna, Atacama)	1990s–today	17/02/08	Toquepala project. Souther Copper Corp. (U.S. – Mexico) copper, molybdenum	S	Y	Local consultation (M.O.)	3478 (67%)	3215 (92%)	n.i.	n.i.
	<b>Islay/Tía María case.</b> Districts of Cocachacra, Punta de Bombón, Dean Valdivia, Mejía, Islay-Matarani and Mollendo. (Arequipa, Islay Province)	2008–2011	27/09/09	Tía María project. Souther Copper Corp. copper	S	Y	Cocachacra <sup>a</sup> (local consultation, M.O.) Punta Bombón <sup>b</sup> (local consultation, M.O.) Dean Valdivia (local consultation, M.O.) Mollendo (popular consultation) Mejía (local consultation) Islay-Matarani (popular consultation)	3131 (49%) 2004 (43%) 2304 (53%) 3643 (n.i.) 272 (n.i.) 837 (n.i.)	2916 (93%) 1883 (94%) 2211 (96%) 3573 (98%) 245 (90%) 765 (91.4%)	139 (4.4%) 71 (3.5%) 52 (2.3%) 9 (0.3%) 26 (9.8%) 61 (7.3%)	76 (2.4%) 50 (2.5%) 41 (1.8%) 61 (1.7%) 1 (0.4%) 11 (1.3%)
	<b>Kañaris case.</b> 3 districts (San Juan Bautista de Cañaris, Huacapampa, Congona) Lambayeque	2004–today	30/09/12	Cañariaco project. Candente Copper (Canada, junior) copper, gold, silver	S	Y	Communitarian consultation (ILO169)	1896 (47.4%)	1719 (95%)	106 (6%)	71 (4%)
Argentina	<b>Esquel case</b> (Chubut Province)	2001–today	23/03/03	Esquel project. Meridian Gold (U.S., junior) – Sold in 2007 to Yamana Gold (Canada, Junior) gold, silver	S	Y	Compulsory popular consultation (M.O.)	13,845 (75%)	11,046 (81%)	2561 (17%)	277 (2%)
	<b>Loncopue case</b> (Neuquén Province)	2007–today	02/06/12	Lonco project. Corporación Minera de Neuquén (provincial Argentina) and Metallurgical Construction Corp (China). copper, Molybdenum	S	Y	Compulsory and Binding Referendum (to approve M.O.)	2588 (72%)	2125 (82.08%)	388 (15%)	75 (2.9%)
Ecuador	<b>Quimsacocha project.</b> (Vitoria del Portete and Tarqui) Azuay	2004–today	02/10/11	Project Quimsacocha. Iam Gold (Canada). Sold in 2012 to INV Metals (Canada, junior) gold, silver, copper	S	N	Communitarian consultation conducted by Juntas de Agua to its members.	1037 (66.6%)	958 (92.38%)	47 (4.53)	18 (1.73%)
Colombia	<b>Mandé Norte Project.</b> 2 Municipalities (Carmen del Darién, Murindó) Chocó	2007–today	28/02/09	Mandé Norte Project. Muriel Mining (U.S., Junior) copper, gold, molybdenum	NS	N	Inter-ethnic consultation. ILO 169	799 (n.i.)	100%		
Guatemala	<b>Sipakapa case</b> (municipality of Sipakapa, San Marcos)	2003–today	08/06/05	Marlin project. Montana Exploradora (Goldcorp-Canada, senior). Gold, silver, open-pit	Both (depending on communities)	Y	Communitarian consultation (M.O.)	2564 (45%)	95.50%	1.40%	1.60%
	<b>Minera San Rafael</b> (Santa Rosa) and Mataquescuintla (Jalapa)	2010–today	29/05/11 11/06/11 10/07/11 11/11/12	Escobal project Oasis (Minera San Rafael: Tahoe Resources Canada – 40% of Goldcorp Canada). Silver, gold, others	S	Y	Mataquescuintla (Communitarian consultation, M.O.)	10,375 (53%)	97%	1.6%	1.8%

M. Walter, L. Urkidi / Geoforum xxx (2015) xxx–xxx

Table1: Community votes in Latin American countries in the years between 2002 and 2012

## 5.2 What is “*Consulta Popular*” in Colombia?

In the case of Colombia, a *consulta popular* shares many characteristics of *consultas vecinales* and *comunitarias* of other Latin American countries. However, a distinctive aspect of the popular referendum in Colombia is that it is already inscribed in an institutional framework that is regulated nationally. Indeed, rather than a hybrid institution, *consulta popular* is a legal mechanism that falls under an existing framework of constitutional and legislative rights. Regardless of the subject of the vote, the right to *consulta popular* is mentioned in the Colombian Constitution of 1991 as a right for citizen participation. It is specifically regulated by the Law 134 of 1994, as a mechanism in which the people of a district, province or municipality are convoked to decide about issues of crucial importance that regard them. In the case of municipal referendums, the decision to call them is taken by the majors upon vote of the municipal council. If the vote is positive, the consultation must take place within two months and the ballot must consist in a yes or no question.

In Tolima, the right to *consulta popular* on mining is being implemented according to the procedures regulated in the national legislation. However, state and industry actors constantly question the legitimacy of the referendum affirming that decisions over the subsoil only fall under the competence of the central government, as established by the Colombian law. Although this type of delegitimization is commonly observed in all cases of community votes on mining, a key aspect in Tolima is that the dynamics surrounding the exercise of *consulta popular* have contributed to fuel an institutional clash at different governance levels. This institutional clash does not only involve the opposition between civil society movements and the state, but also a range of other actors at the local government, the regional one and within state institutions. Thus, the right to *consulta popular* on mining has generated a polarized public debate in Colombia, which is mainly centered on different interpretations of the law and of existing regulations on the issues of mining and public participation.

Indeed, while the law regulates the right to popular consultation, article 37 of the Mining Code of 2001 and the Decree 0935/2013 establish that the state is the owner of the subsoil and that no local or regional authority can define areas that are excluded from mining. As such, while the state has the obligation to guarantee the conservation of territories that include non-renewable resources, the state has also the power to grant special rights for the use of those resources through mining concessions. Those regulations affirm the principle of the state's sovereignty over the subsoil, which is taken as the main argument of the General and Regional Inspectors for considering illegitimate popular consultations on mining. A problematic aspect of this interpretation of the law stays precisely in the fact that just in recent years the government has emitted decrees to centralize the governance of extractive operations in response to citizens' claims for enhanced participation in the field. The right for citizens to participate in environmental matters is, however, a constitutional right.

Indeed, many acknowledge the Colombian Constitution to be an ecological one<sup>21</sup>, as it explicitly recognizes the right to enjoy a healthy environment through a participatory approach. Moreover, Law 99 of 1993 establishes that environmental policy should follow the principles of a democratic and participatory environmental management. Indeed, the law refers to the principles contained in the Rio Declaration of 1992 that includes access to information, participation and environmental justice in decisions over natural resources. In those principles it is also assumed that the role of the State and its environmental authorities are key to guarantee both access to information on environmental matters and the right to public participation. Moreover, in March 2014, the Constitutional Court of Colombia made a pronouncement on article 37 of the Mining Code stating that the article is in accordance with the constitution as long as the state gives the opportunity to the municipal and the district entities involved to participate actively and effectively in the process. According to the Court, the right to participation should be practiced through agreements on various socio-environmental matters, including the protection of watersheds and of the health of the population, plans for economic development and the social and cultural life of the affected communities. Civil society movements that contest "La Colosa" refer to those norms in

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<sup>21</sup> <http://responsabilidadyderecho.blogspot.no/2013/03/la-materia-ambiental-en-la-constitucion.html>

order to support the legitimization of popular consultation on mining. Rather than viewing the principle of state sovereignty on the subsoil as unquestionable, they affirm the principle for popular sovereignty over the territories affected by the mining activities, to protect in particular agricultural areas of production and fundamental water resources.

A key aspect in the debate in favor of *consulta* on mining is that by representing a constitutional right it offers the possibility for consultation for those communities that are not considered eligible for indigenous rights of consultation. Indeed, differently from mechanisms of *prior consultation and consent* or other forms of consultation that fall under the ILO169 framework, *consulta popular* relies on the participation of all registered voters of a given municipality regardless of their specific categorization into ethnic groups. This means that local decision over territories and the right to self-determination, which are at the center of the right to *consulta popular*, move beyond issues of ethnicity. In this way, *consulta popular* becomes a particularly important tool for rural and urban communities in the context of mining and extractive conflicts. Also, the fact that mining community votes are enacted by indigenous groups in several regions in Latin America reveal the limitations and the discontent towards the practices for prior consultation and consent and therefore, the need to enact other forms for community decision-making on mining projects. However, the difficulty of legitimizing *consultas* from the side of rural and urban communities stay in the lack of clear and established legal frameworks that specifically address the rights for these communities on the matter of the extractives. The Colombian constitution and the national law on environmental participation should be seen as exhaustive enough for affirming the viability of the *consultas* on mining, but the general character of their norms also favor approaches to escape their meaning.

Although the debate on *consultas populares* focuses very often on conflicting interpretations of the law, the issue can't be understood as a mere techno-legal matter. Indeed, at the core of those conflicting interpretations lay differing views of development and democracy. Three pillars of the conflict can be identified in the process to realize *consultas populares*: power relations, law and ideology. First there is the conflict that involves existing power relations, that is, the conflict between the state-industry consensus

on large-scale mining and the affected communities. Then, there is an arena where much of the practices of the conflict take place, involving the law on *consultas*, environmental participation and mining. The law becomes the arena that provides actors with different agency tools, but also the arena of conflict between the principle of state sovereignty and the constitutional rights for environmental participation. Finally, the conflict is an ideological one, as it involves conflicting views about what constitutes true development for society at large and for the future prospects of the country.

### **5.3 “*Consultas populares*” in Tolima: democracy at test in decisions over mining**

In this chapter, I describe how the institution of *consulta popular* gained weight and relevance in the rural territories of Doima and Piedras. Thus I pass on the current processes around *consulta* in Cajamarca and the recent developments in the capital of Tolima, Ibagué. This part of the study is the most ethnographic, as it uses primary data along with secondary one, to describe and discuss specific local and institutional dynamics of contestation against “La Colosa” gold mining project.

#### ***The Piedras case***

AngoGold Ashanti started to implement its plans for the installation of the tailing damn of “La Colosa”, in the rice-growers town of Piedras in mid-2012. When they entered the rural territories of Piedras they kept vague about the company’s plans in the area to whom they contacted. The mayor of Piedras, had only received a letter from the company about their intentions to do an assessment of the flora and the fauna in the municipality. An environmental engineer from Bogotá that owns land in Doima, a township of Piedras, was contacted by a person that requested permission to access his land for, precisely, flora and fauna evaluation. When the landowner came to know that behind the request there was a mining company that had specific infrastructural plans in the area, he refused to give permission. In the same period, functionaries of the company went to the school of Piedras where they met some of the teachers. The subject of the meeting was the management of solid waste as the company wished to give classes about a recycling program. As a teacher stated in an interview: “*The multinational went to the school [in Piedras] to give a talk on*

*environmental issues. Think: the devil that gives the communion bread! [...]*” [Teacher of Piedras, Interview 15.06.15]. At that time, the teachers still did not know about the company’s infrastructural plans in the area.

The first meetings between company’s functionaries and community representatives were held with the mayor of Piedras, leaders of the community action boards and several peasants. In those first meetings AngloGold was still not disclosing that the operations they were planning in the area were related to “La Colosa”, but talked about evaluation of the lands and some sort of infrastructural plans. Already at this early stage, resistance against the company started to be manifested.

It is also important to note that some of the inhabitants of Piedras had in the previous years been involved in a controversy with a cement industry, the Mexican company Payandé, which was operating for the construction of a gas pipe in the area. This experience had already exposed the population of Piedras, and in particular landowners, to the challenges of extractive activities in their territories. Therefore, although there was generally very little information about open-pit mines and tailing dams, this previous experience and the contacts that some citizens held with socio-environmental movements of Ibagué, were key factors to start questioning the role of AngloGold in the municipality.

It was when the company started to install exploration platforms in a private land in the township Doima, that a more clear opposition to the company developed in the community. Also, through direct contacts in Ibagué, landowners and teachers accessed more detailed information about AngloGold’s plans to install a tailing dam in the area. Serious concerns rose among the community about the impact that the tailing dam would have on agricultural activities and water. Indeed, agriculture, in particular rice production, is the main economic activity in the area and guarantees sustainment for the families of the municipality. The water source for the community comes from the Rio Opía, a river stream of the Rio Magdalena, which is the principal river in Colombia. The Rio Opía provides water supply for agricultural activities and is used for fishing. The general agreement among the community was therefore to protect and to keep the river free from any industrial

contamination, which would, indeed, heavily affect their sources of sustainment. Moreover, not only the population was concerned about environmental or economic aspects of such activities, but they perceived that the company was operating above existing legislation and above democratic norms. Indeed, AngloGold had started its operations in Doima without the proper licenses from the environmental authority of the region, Cortolima, and, as mentioned before, without consulting and informing properly the community.

The opposition to AngloGold took a clear step forward during a holiday week in October, when about thirty teachers met at the school of Piedras with students and socio-environmental movements in Ibagué, in particular representatives from the Environmental Committee. People from the movements had visited in 2010 open pit mines in Peru and Brazil, with the Dutch organization Pax Christi and the organization of environmental professionals Ecotierra. At the meeting at the school in Piedras, they showed videos about the consequences of open pit mines in countries like South Africa, Canada, Mexico, including open pit mines financed by AngloGold Ashanti. *“That was when we realized what was planned in Cajamarca and Piedras, and we told each other that we could not let this happen”* [Teacher of Piedras, Interview 15.06.15]. Also the governor of Tolima took a clear stance against activities related to mining in his region.<sup>22</sup> The meeting at the school was key to inform the population and the political authorities of Piedras about the impacts of mining, and in the following days several informative meetings were held with students and families. Then, AngloGold understood that the environmental movements were gaining support in Piedras and that the teachers were taking a role in the opposition to the company. The company called therefore for a meeting with all schoolteachers with the intention to give them information about “La Colosa”. The day of the meeting, five AngloGold’s employees arrived at the school with professionals: a sociologist, a forestry engineer of Tolima and other officers. They immediately encountered a tense environment, as, along with the teachers, students and peasants made their presence and heavily contested the company.

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<sup>22</sup> Video that records that meeting: <https://www.youtube.com/watch?v=23bdzzRo6kc>

It was in the following December, however, that more serious attempts to influence the company's plans in the territory took place. There was at first a large meeting with political and civic representatives. It included the Governor of Tolima, the Mayor and the counselors of Piedras, the landowners, the association of rice farmers and citizens. People came also from Bogotá, including an engineer, Alejandro Pulido, with a specialized interest in mining in Colombia. AngloGold was invited to the meeting but refused to take part, as they had already done in several other occasions. The meeting was an important arena for discussion where arguments and views on the matter of mining were publicly exposed. *“Everyone was angry and wanted to speak out through the microphones; everyone wanted to oppose the project, although at that time nobody knew how”* (Landowner of Piedras, Interview 24.04.15).

It was only some days later in a smaller meeting that a few key actors reunited to discuss possibility for democratic participation through “consulta popular”. The representatives of the community were three landowners. One had close ties to the peasants and would later play a great role in organizing a road blockade in Doima. The other had close ties to politicians in Piedras, had been involved in the political life of the municipality and knew the mayor. The third landowner had close ties to public officials and brought to the meeting a lawyer specialized in mining legislation and the former director of Cortolima, (who according to local sources, was not elected again in the position because of her opposition to AngloGold). It was the lawyer who did inform about the possibility to have a municipal referendum on the mining activities. The municipal referendum, precisely the *consulta popular*, was indeed regulated in the Colombian law, and had been previously implemented on other issues of public matters in the country. In the meeting, the first sentences of the referendum text were drafted. However, the participants decided that the process to implement the referendum should have kept in the shadow as much as possible. *“We chose a low-profile strategy”* (Landowner of Piedras, interview 24.04.15). Indeed, the participants feared a possible interference from the company and state authorities in the process.

In the meanwhile, the community was protesting. Two events were key in the mobilization process in the area. The first was on the 23<sup>rd</sup> of December, when hundreds of villagers of

Doima protested massively against AngloGold Ashanti. As a protester explained: “*We don’t have any other water source than the river Opía, so we have to defend it. The central government should support our claims, because we feel abandoned*” (Interview retrieved from the internet)<sup>23</sup>. The second event was in February 2013 and would have larger effects. The villagers of Doima blocked the only road that gives access to the village to impede the entrance of AngloGold’s machineries and employees. As a consequence, the company took legal actions against the mayor for limitations of their right to free movement in a public space. They claimed he had not prevented nor taken action to stop the blockade. Police patrols came therefore several times to try to coercively remove people from the road. After three weeks, citizens decided to step back from the road blockade as they feared that the mayor would get in trouble for actions taken by the community. Moreover, the leader of the blockade stated to a local newspaper that the community was looking for legal ways to neutralize the company’s plans in the area, and added: “*We have already met with lawyers who are advising us on the matter, our battle will soon be a formal one*”<sup>24</sup>. Indeed, he was already participating to the organization of the popular consultation, although this was still not publicly disclosed. In the meanwhile, the end of the road blockade did not mean that the community was allowing company’s machineries to enter. In fact, the community of Doima decided to move the blockade to the patio of the first house after the bridge that gives access to the town, so they could monitor who accessed the area. They set up a rudimental but efficient system of alarm, so the community would be alerted when company’s employees were trying to access, and thus, stream on the road and block them from entering. This system was set up for over four months, with a central role played by the women of the families of Doima.

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<sup>23</sup> [https://www.youtube.com/watch?v=sNaCgyhn\\_fs](https://www.youtube.com/watch?v=sNaCgyhn_fs)

<sup>24</sup> Part in bracket is translated from Spanish in an interview to the local newspaper “El Nuevo Día”: “Ya nos hemos reunido con abogados que también nos están asesorando sobre el tema, nuestra lucha ahora será formal”.

In one of my visits to Piedras, I met with a woman on a farm in Doima who had been a point of reference in the blockade. Together with a landowner, members of a German organization and the environmental committee of Ibagué, we were served with homemade Colombian food while being counted the story of that experience. It was clear from her story how natural it had been for the woman to take action against the third largest gold multinational in the world. The care for the house and the farm, the deep relation to the land, her animals and the bounds with the community, were manifestations of the integrity of the rural life, whose value was perceived as inviolable. The level of education of her family was low and possibility to get informed quite limited. However, the power to react to the invasive entrance of the company, laid precisely in that system of life that she belonged to.

Going back to the facts that followed the blockade, in May 2013 the document with the proposal for the referendum text was ready and sent to the mayor of Piedras. The mayor called the municipal council to vote on whether or not to have a *consulta popular* on mining activities in the region. Indeed the Colombian law states that the municipal council is the authority that ultimately decides to call for *consulta* on a specific public matter<sup>25</sup>. The majority of the counselors voted in favor (8 in favor and 1 in disfavor).

After the counselors vote, the final referendum text was sent to judges of the constitutional court. The judges stated that the *consulta popular* did not violate the law and was therefore allowed. The organizers together with the registry office decided that popular consultation was to be held within 28 days<sup>26</sup>. In that timeframe, the organizers of the referendum together with socio-environmental movements of Ibagué, worked on spreading information about the impacts of mining and tailing dams, and contributed to informed discussions within the community of Piedras. This spurred a sense of civic engagement that was maintained high until the day of the vote.

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<sup>25</sup> Law 134 of 1994, Article 8. The entire text of the law can be retrieved: <http://pdba.georgetown.edu/Electoral/Colombia/ley134-94.html>

<sup>26</sup> Information retrieved in an interview with the landowner Julian Vina.

In July 2013, the community of Piedras voted for the first “consulta popular” on mining activities ever held in Colombia. The ballot text stated:

“Do you agree, as a resident of Piedras, Tolima, that in our jurisdiction, the following activities are carried out: exploration, exploitation, treatment, transformation, transportation, washing of materials that originate from large scale gold mining; or that materials that are harmful to health and the environment are stored or used, specifically cyanide and/or any other substances or hazardous materials associated with these activities; furthermore, that surface and ground water is used from our town in such operations or any other similar operations that may affect and/or limit the supply of potable water for human consumption, and for agriculture, the traditional productive vocation of our municipality?”<sup>27</sup>

Among the 5,105 registered voters, 2,971 voted against and 24 in favour. The result meant that the population of Piedras clearly rejected AngloGold’s mining activities in the municipality. The news about the referendum was reported nationally and by international newspapers, mainly as a successful example of community mobilization against corporate interests. AngloGold Ashanti was, however convinced that the population was uninformed and they expressed “disagreement with the biased question, which makes reference to a type of mining which is not the one carried out by AngloGold, and induced the response from the community”<sup>28</sup>.

In 2014 the Office of the Inspector General of Colombia, which is the national authority that investigates irregularities committed by public officials, started an investigation against the mayor of Piedras regarding the popular consultation. The argument was that the mayor had used his power as a public official to hold a popular consultation that violates the Colombian legislation. The inspector, Alejandro Ordonez, referred in particular to the decree 934 emitted in 2013, which regulates article 37 of the Mining Code, which affirm that it is the state that owns the subsoil and therefore, all decision regarding the use of resources in the subsoil are relegated to state. The decree 934 had been emitted in May

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<sup>27</sup> The original Spanish text can be found here: <http://lasillavacia.com/historia/el-dilema-del-gobierno-despues-del-no-de-piedras-la-mineria-45296>

<sup>28</sup> Andrés Bermúdez Liévano. *La encrucijada del gobierno después del ‘no’ de Piedras a la minería*. In *La Silla Vacía*. 29 Jul 2013. <http://lasillavacia.com/historia/el-dilema-del-gobierno-despues-del-no-de-piedras-la-mineria-45296>

2013, just a few months before the popular consultation in Piedras in July. However, according to sectors of civil society and some Colombian jurists, the same decree is unconstitutional. Positions on *consultas populares* for mining, started therefore to develop more clearly in the public debate and would heavily influence at different levels the dynamics around *consulta popular* in the municipality of Cajamarca from 2014.

### ***Towards a “consulta popular” in Cajamarca***

The process to implement a *consulta popular* in the town of Cajamarca from 2014 until present, has been intricate. The socio-environmental movements of Cajamarca, together with peasants and students, have encountered opposition in the process from state and local authorities and from the company. Also, the community of Cajamarca is more divided than Piedras on the front of mining policies. Not only there is a demographic differentiation between the two municipalities as Cajamarca is bigger in size, but more importantly AngloGold Ashanti has had a physical and political presence in the urban and rural territories of Cajamarca at least since 2007. Therefore, their role in the municipality has divided resident’s opinion and perceptions on mining in their region.

In July 2014, the socio-environmental movements of Cajamarca sent the proposal for a *consulta popular* on mining activities to the mayor<sup>29</sup>. Considering the accusations against the mayor in Piedras and jurisdictional changes in the Mining Code, the movements opted for a change in the referendum text. The new text would, indeed, not make mention of extractive activities in the subsoil, but highlight the consequences of mining activities on the soil. The text of the proposal stated:

“Do you agree, yes or no, that in Cajamarca, known as the “agricultural belt of Colombia”, there are carried out activities that involve the contamination of soil, air, loss or contamination of water sources, health impairment, affectation of the traditional agricultural vocation and of tourism as a result of mining projects?”<sup>30</sup>.

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<sup>29</sup> Luis Evelio Gomez, mayor of Cajamarca in two mandates: 2008-2011, 2011-2015.

<sup>30</sup> Translation made by me from the Spanish: “¿Está usted de acuerdo, si o no, con que en el municipio de Cajamarca, la Despensa Agricola de Colombia, se ejecuten actividades que impliquen contaminación del suelo, aire, pérdida o contaminación de fuentes hídricas,



The mayor of Cajamarca presents the proposal of the referendum text.<sup>31</sup>

Nevertheless, in August the same year, the mayor would express concerns about the viability of a *consulta popular*. The accusations against the mayor of Piedras and the positions on the matter by the Inspector General of Colombia, and of the Regional Inspector of Tolima, made him re-evaluate the issue. The mayor expressed, indeed, fear that the local referendum on mining would be a “scapegoat” to make accusations and sanctions against the mayors. Thus, he asked the Assembly of Tolima to make a judgment on the issue, expressing the uncomfortable position of being pressured by the “environmentalists” and receiving the threat by the Inspector General of possible sanctions. However, the Assembly abstained to make a judgment on the matter, as expressed by a deputy in an interview to the regional newspaper “El Nuevo Día”, who punctuated: “This issue is not in the competence of the Assembly, but I can say that the majority of the deputies, including myself, oppose

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afectación de la salud de la población o afectación de la vocación agropecuaria y turística del municipio con motivo de proyectos mineros?”

<sup>31</sup> Picture retrieved from the internet:

<http://www.elnuevodia.com.co/nuevodia/tolima/regional/225111-cajamarca-formulo-pregunta-para-consulta-popular-minera>

the mineral exploitation that they want to make in this municipality, especially the mining project “La Colosa”.<sup>32</sup>

Against the fears of the mayor, the biology professor Renzo García Parra, also a key activist in the environmental committee of Ibagué, argued:

“The mayor of Cajamarca suggests to make the referendum demanded by the inhabitants of this municipality only after the company has obtained the environmental license to operate, which means, after the problem has no reverse. It is illogical, from every point of view, the position of mayor. What must be avoided is that the national government unilaterally grant environmental license for the project, without consulting the communities of Cajamarca, that has every right to participate in decisions that may affect them. [...] It is in [the] context of social, environmental and legal struggles that popular consultations should be institutionally assumed by the mayors as an expeditious tool for deepening democracy, to reflect the wishes and opinions of their communities. And not, as the mayor says, because the referendum is demanded only by the pressures from the environmentalists. No sir, this is a constitutional right, a decision that communities have taken after a process of environmental education and to unravel the lies of the multinational [...]”<sup>33</sup>

In line with the ideas sustained by Renzo, the Senador Iván Cepeda came to visit Cajamarca in November to express his support towards the process of a *consulta popular*. Iván Cepeda<sup>34</sup>, philosopher and politician, is known in the country for his defense of human rights in the Colombian context and has been a key figure in the debates on mining and energy politics. He had already visited Cajamarca one year before, in 2013, as a depute of the Chamber of Representatives, where he encountered with both institutions and movements to dialogue about the role of the municipality as a strategic area for food production, as well as to gain information over the territories of gold extraction. In the visit

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<sup>32</sup> Translated by me from the Spanish: “Debo decir que ese proceso no es competencia de nosotros como Asamblea, pero que la mayoría de mis compañeros, al igual que yo, no oponemos a la explotación minera que se quiere hacer en este municipio, en especial en la mina La Colosa”. *ElNuevoDía*, August 20<sup>th</sup> 2014.

<sup>33</sup> Translated by me from Spanish. The entire interview was published on August 2014 to Renzo Parra and retrieved from: <http://www.nasaacin.org/informativo-nasaacin/contexto-colombiano/7087-tolima-alcalde-de-cajamarca-teme-aprobar-consulta-popular>

<sup>34</sup> Politically he represents the Alternative Democratic Pole (*Polo Alternativo Democrático*), a Colombian social-democratic left party. He is also the official spokesman of the Movement of Victims of State Crimes (MOVICE).

in November 2014 though, he hold a public audience where he stood more clearly in opposition to the mining project and highlighted the importance for the community to democratically participate in territorial decisions that would affect them. In response, the municipal council of Cajamarca expressed strong disagreement with the way Cepeda used the public audience to express his ideas. The council voted in unanimity a letter that was sent to the Senate, denouncing the unconformity for the pressures made by Cepeda to the mayor and council of Cajamarca on the matter of *consulta*. One of the councilor would even state that Cepeda did not respect the autonomy of local authorities to make their decisions<sup>35</sup>.



Photo showing Senator Cepeda on the right arguing for the importance of “consulta popular”, and the mayor of Cajamarca on the left.

This experience demonstrates the negative attitude of the council months before they were called to vote for a *consulta popular*, and show how concepts of “democracy” and “local autonomy” are differently understood among local actors depending on their actual positions of power within the community. Also, while the Senator’s ideas were expressed within the frames of what would be normally regarded as “freedom of speech” and were

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<sup>35</sup> Information retrieved from audio statement and article:  
<http://www.ecosdelcombeima.com/regionales/audio-49277-concejo-de-cajamarca-aprobo-proposicion-quejandose-el-congreso-de-la-republic>  
<http://www.alaluzpublica.com/portada/concejo-de-cajamarca-rechaza-presiones-indebidas-del-senador-ivan-cepeda>

detached from real political implications, the pressures that AngloGold would pose on the councilors on the following December, would, rather, assume the connotations of a political imposition.

Indeed, AngloGold sent a formal letter of concern to the municipal council of Cajamarca, on December 21<sup>st</sup>. The letter, signed by the legal representative of the company Felipe Marquez<sup>36</sup>, contains a description of the social and economic investments made by the company in Cajamarca and warns the council that until the uncertainties created by the process of a *consulta popular* will occur in the municipality, the company is cutting the investments<sup>37</sup>. The letter also notes the preoccupation for the political environment surrounding the convocation of a *consulta popular*. Similarly, Felipe Marquez had already noted that the opposition to the project was tainted by political interests rather than being based on technical knowledge and that “*we need to erase the political tint of the debate [on “La Colosa”]*”<sup>38</sup>. Those statements reflect the conception of the company that mining governance is mainly a technical matter, and shows that for company’s representatives opposing voices on the matter of mining are to be automatically labeled as ideological-driven.

On January the 3<sup>rd</sup>, the El Nuevo Día publishes an article titled: “*The councilors of Cajamarca between the sword and the wall*”. The article exposes the position of the municipal councilors who affirm that they are at a crossroads, because on one side there is the document sent by the multinational, where they warn a reduction in the budget for the

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<sup>36</sup> Felipe Marquez Robledo: General Counsel and Vice President of Corporate Affairs of AngloGold Ashanti in Colombia, from November 2012. He has previous experience in Coca Cola Femsa as Vice President of Corporate Affairs for South America between 2011 and 2012, and Colombia between 2005 and 2011. Information retrieved from the company’s website:

<http://www.anglogoldashanti.com.co/saladeprensa/Lists/Comunicadosprensa/DispForm.aspx?ID=46>

<sup>37</sup> The original letter can be found at the end of the article at: <http://www.las2orillas.co/la-carta-de-anglo-gold-mareo-al-concejo-de-cajamarca/>

<sup>38</sup> Interview to Felipe Marquez retrieved from the internet: Nohora Coledon, in *Portfolio*. “Esperamos que la Colosa tenga licencia ambiental en 2020”, November 5th, 2014. <http://www.portafolio.co/negocios/entrevista-vocero-anglogold-la-colosa>

municipality and, on the other, the pressures from the communities that are rejecting the mining project, which could be the majority of the citizens in Cajamarca.

The time to take a clear decision in regard of a *consulta popular* came on the 12<sup>th</sup> of February 2015. The mayor of Cajamarca sent the proposal for the local referendum on mining to the municipal council. This was the second such event in Colombia after the experience of Piedras in 2013. However, the result was the opposite. With 10 votes in disfavor and one in favor, the municipal council rejected the possibility to have a referendum on the matter of mining in their municipality. The argument was that it is not in the competences of the local government to decide on issues of national competence like large-scale mining projects. The decision of the municipal council was strongly criticized by the movements in Cajamarca who felt betrayed by their own local government on a constitutional right. A general statement of discontent from the movements is synthesized in the words: “*The councilors are sold*”.

### ***Constructing political alliances***

In the aftermath of the decision of the municipal council, local movements in Cajamarca together with representatives of the Environmental Committee, gathered weekly to discuss new possibilities and strategies for the development of a *consulta* process. The municipal election that would be held the following October was discussed in its potential to steer the political debate on the gold mining project. However, internal disagreements emerged and financial resources to prepare even an autonomous *consulta popular* were lacking.

I personally participated to the weekly meetings in Cajamarca as an observer from April to June 2015. The experience allowed me to learn about participants’ opinions and worldviews more in detail, to reveal differences and disagreements within the group and to follow closely the development and construction of new strategies for *consulta*.

The group met weekly with the purpose to decide which path to follow after the municipal council expressed their negative vote on *consulta* on mining. The weekly meetings saw the

participation of 15 to 25 community members in an apartment room provided by a family in the city center of Cajamarca. The participants represented an heterogeneous group of people including peasants, students, professionals and other workers. Representatives of the Environmental Committee of Ibagué were always present and the meetings were guided by an influential biology professor from the University of Tolima. The main decision to take revolved around two possible paths.

The first path was to continue battling for the implementation of a *consulta popular* that followed formal and legal steps in order to aim to be recognized as legally-binding. One of the strategies to accomplish this, was to guarantee the support from the local government to the *consulta* process. That meant to actively support political candidates in favor of *consulta popular* until the day of the municipal vote the following October. Another possibility for a legally-binding *consulta* was to reach a sufficient number of signatures among registered voters in Cajamarca. There were rumors that with a 20% of signatures, the population could call for a *consulta popular* by bypassing the vote of the municipal council. However, frustration arose as the participants acknowledged the lack of clarity on the jurisdiction around *consulta popular* and were waiting for a pronouncement from the Constitutional Court on the matter of signatures. The second path was to center forces on the implementation of a *consulta popular autónoma*, and autonomous popular consultation, that would allow the population to vote on mining, although its outcome would not be recognized by the state as legally binding.

The decision seemed to tend for the creation of a popular consultation (that would be autonomous or legally-binding depending on the jurisdictional developments) to be held on the day of the municipal vote. In the meantime, the movements would be supporting political candidates that oppose “La Colosa” to ensure the support for the environmental cause during their mandate. This meant that the socio-environmental movements of Cajamarca had to construct an alliance with specific political candidates. In particular they would have to publicly support one candidate that participated in the weekly meetings and was openly opposing “La Colosa”.

This situation created a certain degree of frustration, as some participants expressed their fear that party politics would interfere with the democratic and grass-roots level process to implement *consulta popular*. In particular, they expressed concern that certain candidates could use and appropriate the process for *consulta popular* to publicize themselves politically. This frustration was not only a mere element of discussion, but it was a clear factor of fraction among the movements of Cajamarca. Indeed, the organization of environmental professionals Ecotierra that is also contesting the gold-mining project, had already decided to step back from the process of *consulta* and to not take part of the meetings, partially because they were contrary to the presence of political forces in the movement. My observations suggested me that this decision was partially dictated by this contrariety and partially by the different history and conformation of the organization that differentiated it from the other movements. Also other individuals that I spoke with and that were not members of a particular movement or organization, expressed their discomfort with the ties of the socio-environmental movements to the election process. While for some this disagreement was perceived as “healthy” for the mobilization process, other feared that disagreement was rather synonym of a fractured and weaker social movement.

At the beginning of June, the meeting group held an open vote to express agreement or disagreement about having *consulta popular* the day of the municipal vote in October. A part from one clear opposing voice, almost the unanimity of the participants stated their agreement. The main viewpoint was that as long the movements undertook political strategies that would benefit the process for *consulta popular*, those strategies were not inconsistent with the ideological principles that moved the process in the first place. Therefore, pragmatism was not only essential to the process, but also, it did not bear contradictions to the movements fundamental ideological stances. In this vein, it was interesting to note that students that proclaimed themselves as ideologically anarchic, although conscious about the institutionalized nature of the process and its elements of compromise, went on the front line of the process for *consulta* in the name of pragmatism.

Moreover, the decision to held *consulta popular* on the day of the municipal vote, was a cost efficient one as it allowed reducing the expenses for the logistics of *consulta*. Indeed, it

is common practice during election times in Colombia for the political parties to finance the peasants' travel expenses and to offer them lunch. This practice is intended to favor a stronger turnout in a country with one of the world lowest number of turnouts during elections. Thus, unifying the costs for the municipal election and the *consulta popular* was seen as beneficial for the process.

Although the decision seemed settled, a few days after the open vote news came from some of the organizers of *consulta* announcing the impossibility to have *consulta popular* in Cajamarca in the year 2015. That impossibility was related to the lack of financial resources, as one major funding actor, the Dutch organization Pax Christie, withdrew the support. It was then clear, that the only hope for the movements to have a popular consultation on mining was to support their allied candidate until election time, to eventually call for a new vote on *consulta* from the newly elected municipal council. In the meantime, movements were also waiting for a pronouncement from the Constitutional Court on the matter of signatures, which would allow the citizens to bypass the support from their local government.

### ***The “Diplomado Ambiental” and “La Septima Marcha Carnaval”***

While the process of *consulta popular* in Cajamarca became intricate, two other relevant forms of contestation towards “La Colosa” took hold: the environmental seminars of the “El Diplomado Ambiental” and the organization of the seventh march against the mining project, “La Marcha Carnaval”. Although both instruments are relevant for their own sake in contesting “La Colosa”, they are also a way of supporting the social mobilization needed to enact *consulta popular*.

“El Diplomado Ambiental” has taken place at the University of Tolima since 2014, and in Cajamarca since May 2015. I participated in most of the seminars during spring 2015, so the following information comes from primary data. The “Diplomado” consist of a series of free lectures given by different specialists on the environment and by social scientists to create awareness about environmental problems. The sessions have been organized by the

Environmental Committee of Ibagué with the financial and logistic support of the University of Tolima. The focus is mainly on large-scale mining and on the project of “La Colosa”, while some seminars also address issues of global inequalities and the impacts of human consumption. The seminars last four months, at the end of which the registered participants must take an exam. The passing of the exam allows the participants to receive a Certificate of Environmental and Territorial Management. The participation in the “Diplomado” has been exceptionally high especially in Ibagué: every Tuesday ca. 200 people attended the lectures. To permit everyone to attend, the seminars were divided into two sessions during the same day.

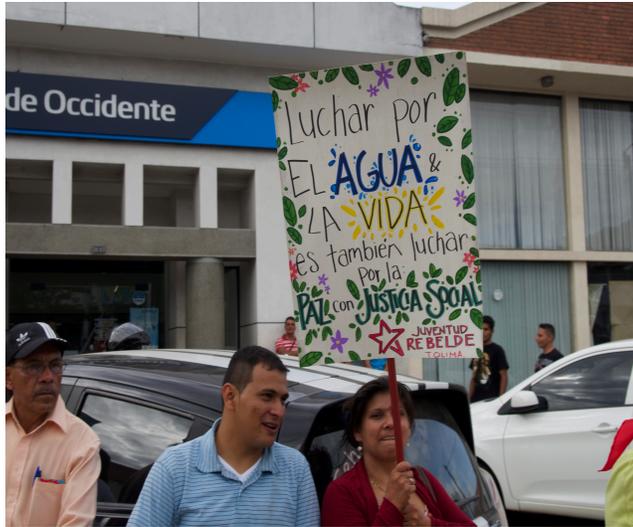
As for the “Carnaval march in defense of water, life and territory”<sup>39</sup>, this is a protest against “La Colosa” that has been taking place once a year in Ibagué since 2008. The use of arts, colors, music and plays are central connotations of the protest. The organizers aim, in fact, that the pacific character of the protest can ensure a large participation from students and families, and that the use of arts in particular can be an effective way of launching the message of the protest. As I could observe myself during the carnival march in 2015, the choirs against AngloGold Ashanti were widely shared by the protestors and were most often addressing a sentiment of defense towards the agricultural heritage of Tolima. The most popular choir was: “We want “chicha”<sup>40</sup>, we want maize, AngloGold Ashanti out of the country!”<sup>41</sup>. The seventh carnival march saw the participation of ca. 50.000 people, accompanied by a similar march in Espinal that saw the participation of 10.000 people in a municipality of 70.000 residents.

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<sup>39</sup> “Marcha carnaval in defensa de el agua, la vida y el territorio”

<sup>40</sup> “Chicha” is a drink produced through the fermentation of maize, one of the agricultural products of Tolima.

<sup>41</sup> “Queremos chicha, queremos mais, AngloGold Ashanti fuera del país!”.



Written on banner: “Fighting for water and life means also to fight for peace with social justice”



Written banner: Yes to life, No to mine, No to La Colosa, Out AngloGold Ashanti. Out, out, out!

### ***2016: popular consultations in Ibagué and Cajamarca gain momentum***

While I am writing this descriptive and ethnographic section on the processes of social mobilization and implementation of *consultas populares* in the municipalities of Tolima, important developments are happening in Ibagué and Cajamarca.

First, the newly elected mayor of the city of Ibagué expressed his decision to support the environmental cause of “La Colosa” by calling a municipal vote on *consulta popular*. In the last two years, attempts to promote *consulta* in Ibagué had been taking place without success as there was not enough institutional support and forces were centered on the process in Cajamarca. Although the process for *consulta popular* had been left to the side, Ibagué has been a central arena of social unrest and activism thanks to the annual marches and to the environmental lectures. The question of mining had been therefore a constant in the public debate in the city and influenced the elections in October 2015. The newly elected mayor called for a municipal vote on *consulta popular* on mining at the end of February 2016. The majority of the council voted in favor, although the votes showed a tight result: 10 votes in favor and 9 in disfavor. The following May, the Administrative Tribunal of Ibagué made a pronouncement in favor of the availability of *consulta popular* in the municipality. That is the first time a capital of a department in Colombia approve the implementation of a *consulta*.

As for Cajamarca, the movements finally learned about the pronouncement from the Constitutional Court on the viability of a *consulta popular* through signatures: with 10% of the signatures among registered voters, the popular consultation can take place. The 19<sup>th</sup> of February 2016, the social and environmental movements of Cajamarca sent their application to the Registry Office of Cajamarca to start collecting signatures for a *consulta popular* requested by the citizens. In the meanwhile, AngloGold Ashanti has already sent a letter of disagreement regarding the viability of the *consulta*.



Photo from the registration day of consulta popular in Cajamarca. Retrieved from the Internet.

## 5.2 Discussing “consulta popular” as a tool for environmental governance

In the previous section I have delineated the recent history of the popular consultation processes in Piedras, Cajamarca and Ibagué. To date it is still uncertain which effect *consultas populares* on mining in Colombia will have on the realization of large-scale mining or infrastructural projects throughout the country. However, it is possible to observe how the processes of *consultas populares* on mining have shaped and are shaping socio-political dynamics locally. Also, it is possible to see how state and industry actors are delegitimizing this process while other actors support it, and how *consulta popular* has influenced the public debate on mining nationwide. Mining referendums are certainly relevant for how environmental governance is understood among an array of actors and is reconstructed in both its practices and discourses. The *consulta popular* on mining, by encompassing legal and democratic procedures, social and political processes, can be seen as a tool for environmental governance.

Recognizing this I suggest that it is important to highlight two particular dimensions of *consulta popular*.

The first dimension refers to the socio-political aspects of *consulta popular*: as a democratic mean of representation, it is a formal institution enacted by otherwise informal local dynamics, and it represents a specific legal terrain in which social contestations operate to legitimize their claims. *Consulta popular* contains both procedural elements that simplify the issues at stake in a “yes or no” vote, and elements of social unrest and mobilization along the different phases of the process. Although the exercise of *consulta popular* is easy to visualize, the contentious processes it contains are fluid and ambiguous. Thus, *consulta popular* is a more simple expression of complex and plural practices of local agency and worldviews. I suggest that the internal fractions and disagreements described earlier are a product of this contentious encounter between the institutional and societal character of *consulta popular*. Those fractions also show that social change in the context of local environmental governance deals with a series of micro-conflicts. Civil society movements manage those micro-conflicts through processes of dialogue, information exchange, informal voting and social gatherings. The management on the ground surrounding the process of *consulta popular* is not always a product of planned agency, but rather a spontaneous response towards better social organization, and ultimately, towards a more unified action in the mobilization to impede large-scale mining. In this vein it is important to keep in mind that the different civil society movements in Cajamarca that contest “La Colosa” also represent an unified block that aims at enlarging its basis in face of the fact that many fellow citizens are supporting the gold-mining project or are neutral on the matter. Indeed, in Cajamarca, there is a perception of uncertainty over the possible outcome of a *consulta popular*. Being unified despite internal differences (of ideology, class or ethnicity) is, therefore, seen as crucial.

The second dimension of *consulta popular* refers to external agency and external decision-making in response to the *consulta* process, i.e. the way actors outside of the electorate of *consulta* respond to its implementation in a way that is significant for its legitimization, or de-legitimization, at multiple governance levels. Whereas the factors that support its

legitimization occur mainly through political and ideological support, the delegitimization of *consulta popular* has mainly occurred within the legal terrain, through jurisdictional changes and certain interpretations of the law, or through political pressures on counselors.

The most important factor that enabled the formal implementation of *consulta* before the pronouncement from the Constitutional Court in 2015, is the alliance between the movements for *consulta popular* with their local government. In Piedras, the firm stance of the mayor on the matter of mining represented an element of strength in the phases of social mobilization and was essential for the formal enactment of *consulta*. Here, the strong consensus between the local government and the population, and the ties between the mayor and the landowners who were the original organizers of the voting process, had been in place since the beginning. In Cajamarca and Ibagué, the ties between movements and the local government had, in contrast, to be constructed over time and were dependent on the outcome of the municipal elections on which the movements tried to have an influence. This relation, and sometimes dependency on party-politics has not been unproblematic. As I could observe in Cajamarca, it was often perceived as the sore point in the *consulta* process. Indeed, for civil society groups contesting “La Colosa”, it was important that both social mobilizations and the formal enactment of direct democracy through *consulta*, had to maintain the characteristic of a grass-root process. However, the alliance with the local government, which has been a pre-requisite for the formal implementation of *consulta popular*, has showed the level of institutional compromise that civil society movements agree to engage with. The pronouncement from the Constitutional Court on the matter of signatures significantly alleviates civil society’s “dependency” on the support from the local government, although doubt remains until the process of collecting signatures in Cajamarca is complete.

Secondly, the role of AngloGold Ashanti in the mining-municipalities and the relations that the company has developed with local citizens, have proved to be important factors that influence the possibilities to realize *consultas populares*. In Cajamarca, by supplying the role that the state must guarantee in public services, the company has acted like a corporate “Big Brother” that everything provides and everyone controls while constantly repressing

discontent. The longer history in Cajamarca of hiring locals and making social investments in infrastructures, such as schools, hospitals, a football camp, and in Wi-Fi services and gas provisions, have represented the company's strongest tool of gaining consent and preventing the counselors for voting in favor of *consulta*. Those investments have been accompanied by heavier militarization, threats to opponents, deaths by doubtful cause, and in general, by an environment of suspicion and local frictions. However, citizens, whether or not in favor of "La Colosa", to large degree welcome those investments denouncing the weak presence of the state and the condition of poverty people are relegated to. In Piedras, the company did not have such a presence, so the process for *consulta popular* took place without major impediments. Individuals I have spoken to from Piedras are also critical to the way citizens of Cajamarca accommodate the company, claiming that the citizens of Piedras would have never allowed company's social investments in their territories because the issue of large-scale mining is far more important. In this vein, the social composition of the population appears to be a key distinction between the two municipalities. Indeed, while Piedras is a municipality of rural communities and landowners, Cajamarca has a larger representation of urban workers and professionals who do not have ties to the land and natural resources. As for Ibagué, here the company has a physical presence and is exercising an influence over the media and the local newspapers. However, since it is a regional capital with more established institutions and a bigger population, the company is unable to steer the political life of the city. Thus, the degree to which the company is able to interfere with territorial institutions is determinant for the enactment and feasibility of *consulta popular*. However, also the degree to which the local population renders this possible is also relevant, and this partially depends on the social composition of the population.

Thirdly, the position of the state in trying to delegitimize *consulta popular* shows the high level of centralization in the decision-making on mining in Colombia and demonstrates the contradictory position of the executive on the matter of democracy itself. While the state bases its legitimacy in being democratically elected, according to allegedly values of western modernization, on the other, it coercively determines when democracy goes 'too far' by defining the boundaries of democracy within its territories. In the current peace process it is often stressed out that the Colombian state is developing stronger democratic

institutions, however, those efforts are not perceived as such among civil society groups who are felt undermined by state authorities and who denounce the high level of corruption among state institutions. Whereas *consultas populares* on matters that are not related to extractive resources have been carried out without major impediments in the country, the history of *consultas* on mining in Tolima reveals the authoritarian character of the state. The position of the state has been particularly incorporated in the roles of the General and the Regional Inspectors, who, as we have seen, have persecuted mayors that supported the local referendums on mining. It appears clear then, that national environmental “managers” question and delegitimize local forms of democracy when those deal with decisions on high stake natural resources, when they threaten established positions of power and when they challenge the state’s development machine, or more specifically, “la locomotora minera”. The legislative changes supported by Santos’ executive on decisions regarding large-scale mining show that whereas social unrest is coercively blocked through physical violence, *consulta popular* is being delegitimized through forms of legal and political violence, perpetrated by the holders of centralized means of power. Also the impositions by the national government that empty regional governments and regional environmental corporations of their powers to decide and assess on environmental matters are part of this picture.

Fourth, the role of transnational actors contributes to support the legitimization of *consultas populares*. Several international ngo’s have come to visit one or more of the mining-municipalities of Tolima and showed, at least, their ideological support to the cause. Others, like Pax Christi, have provided financial resources. Nevertheless, the negative impact on mobilizations resulting from financial cuts from the Dutch organization, also reveal the weak side of being financially dependent on foreign actors. In this vein, in one of my meetings with the Environmental Committee, some participants came with proposals of self-funding initiatives. Also, another important international actor is the Inter-American Commission on Human Rights. According to the movements of Cajamarca, if the government does not approve the outcome of a *consulta popular* on mining, they will present their case at the Commission under the accusation of human right abuse. Although the evaluation of the Commission is not legally binding for the Colombian state, a statement

such a widely acclaimed institution defending the right to *consulta popular* on mining would give an international legitimization to *consultas*. It would be difficult to ignore the symbolic meaning of such evaluation, and provide a significant counter-argument from the side of the government.

My observations show that as a tool for environmental governance, *consulta popular* is a contentious mechanism. First, it is a process that involves micro-level frictions, which means that *consulta popular* is a product of more complex and sometimes conflicting societal relations in place. Specific ways in which the socio-political aspects of *consulta popular* unfold, are related to how individuals manage internal frictions and organize their struggles, and also on the material conditions in place, such as financial resources, availability of information and differences in social classes. Second, civil society movements strive both to legally implement *consulta popular* and to render it legitimate, depending on specific power structures in place. The national context is, indeed, one where “extractivism” has become a pillar of the state’s post-conflict ideology of good governance and accelerated development. The ideology of “extractivism” shapes the current national foundation of resource governance and is at the heart of the state-industry consensus on mining. *Consultas populares* are, therefore, seen by the state as a threat to this fundamental economic ideology, whose instruments of coercion reveal the authoritarian side of the Colombian executive. In a way, the exercise of *consulta popular* is exposing how far the state is able to apply coercion towards their citizens on environmental matters.

Although delegitimized by powerful interests, *consultas populares* on mining are, at the same time, viewed as legitimate by a wide array of institutions, and the concerns coming from civil society groups are shared among many institutional representatives who acknowledge the serious socio-environmental curses of large-scale mining operations. Overall, the contentiousness of *consulta popular* shapes discourses and practices of environmental governance at multiple levels. Regardless of whether those *consultas* will significantly impact mining projects, the re-framing and influence on environmental governance processes is already an achievement in itself.

Through this in-depth analysis of local dynamics supporting popular democracy on “La Colosa”, I have sought to strengthen the empirical evidence to support the arguments of chapter 3, i.e. to show the significance of the active role of civil society movements in shaping the governance of mining in the country. The analysis and discussion of the case study also furthers the theoretical aim of the thesis to rethink the concept of environmental peace-building. The several references to the peace process that are often brought up by the movements contesting “La Colosa”, show that their claims and actions are doing more than only seeking to protect the environment: they advocate for a national peace process that can only be fully realized along with social justice.

In the following, I conclude by summing up my findings and underlining the overall theoretical contribution that I have wished to further.

## 6- Conclusions

In this study I have made a series of arguments, supported by empirical data on both primary and secondary sources, related to three main set of issues: the linkages between resource governance and peace-building, the active role of civil society movements facing extractive exploitation and the exercise of the popular democracy mechanism of *consulta popular* on mining, in the case of “La Colosa” gold mining project. Those issues have been analyzed through critical concepts related to the fields of resource governance and politics, and peace and conflict studies.

First, regarding the linkages between resource governance and peace, I have highlighted the negative implications that the Colombian extractive economy generates in rural territories. Those include a series of violent dynamics that have material and socio-political connotations, such as: the aggravation of land eviction and land concentration, of displacements and territorial dispossessions; the dismantling of organic spaces of production and of peasants’ organization around food systems; the affirmation of powerful and foreign interests over local ownership of the governance processes related to natural resources. I have also shown that the Colombian government well includes territorial issues in the peace agreements, under the rhetoric of social and economic justice, but purposively neglects any role of the extractive sector in shaping and impacting territorial relations. The extractive sector is rather managed by President Santos as *the* driving force of the Colombian economy.

Second, regarding the role of civil society in contesting resources and advancing other patterns of resource governance, I have: shown the rise of socio-environmental conflicts related to resource extraction in the last decade, which are identified by the Ejolt project as being 72; shown that this rise is related to the consequences of the mining boom, and also to the rising influence of the political movements of “La Marcha” that advocates for enhanced social justice along the process for peace; shown the importance of the affirmation of the principle of food sovereignty in resource contestation, with particular regard to the creation of peasants reserve zones. Finally I have discussed those findings by arguing that civil

society movements better understand the links between peace and the environment than what is demonstrated by the official commitment to peace, and that those movements are rather laying the ground for societal transformations consistent with the construction of long-term peace in the country.

Thirdly, I have analyzed the use of a mechanism for popular democracy called *consulta popular* to influence the governance of the gold-mining project “La Colosa”, in the Department of Tolima. I have first given an overview of local referendums on mining in Latin America and explained the peculiarity with *consulta popular* in Colombia as an institutionalized procedure regulated in details in the constitution. I have then moved on the case of its use on mining governance in Tolima. I have shown that the exercise of this mechanism has encountered a series of difficulties in its implementation and legitimization process due to the opposition of state and industry actors, particularly represented by the role of the Inspector General. I have also shown that the organization of a *consulta popular* in Piedras, Cajamarca and Ibagué, have followed different paths depending on a series of factors. Those include: the level of internal frictions, the position of the local government, the time-line of action, the social composition of the municipality, the influence of the company AngloGold Ashanti and the available financial resources. Overall, *consulta popular* on mining is a tool for environmental governance that is activated by civil society movements as a response to the violence of extractive exploitation in their territories, and which reflects the movements aim to further social justice along with the peace process.

The three issues I describe above are of course interrelated and in their description I have followed a deductive progression from the general to the particular. Overall, those issues have been all centered on the aim to demonstrate that civil society movements facing extractive exploitation in Colombia are active actors in shaping the country’s positive societal transformations. Moreover, I have claimed that those transformations should be taken in remarkable consideration for the realization of the peace process.

With this thesis I have wished to contribute to the understanding of the environmental peace-building concept, by applying it on sub-national levels of governance and in relation

to popular participation. In order to address how nature can be a field of cooperation rather than being simply described as a field of conflict, I aimed to overcome the shortages often related to the management of peace and the environment that limitedly acknowledge the local dimensions and the role of civil society. Through my rethinking of the environmental peace-building approach, I suggest an encounter between the academic fields of resource politics and of peace and conflict studies.

In our times, where dealing with environmental challenges is as urgent as ever, the way human societies organize around the environment is determinant to shape the future paths undertaken by our global society. I suggest that the academia and practitioners should better acknowledge the roots elements shaping the peaceful and conflictive human relations that govern natural resources. Many civil society movements around the globe are confronting a plurality of 'violences' related to the exploitation of nature and society, and are acting to overcome them. I have emphasized the importance of giving space to the movements' actions in the Colombian context as a crucial step to move towards a sustainable post-conflict. But also, the aspiration of this thesis is that its theoretical analysis may extend its application ways beyond the borders of the Colombian case.

## Bibliography

- AngloGold Ashanti. "Mineral Resource and Ore Reserve Report," 2013.
- Amnesty International (2014), Historic Colombia-FARC declaration fails to guarantee victims' right to justice, 9 of June. Available at:  
<https://www.amnesty.org/en/latest/news/2014/06/historic-colombia-farc-declaration-fails-guarantee-victims-right-justice/>
- Angrist, J.D. and Krugler, A.D. (2008) Rural Windfall or a New Resource Curse? Coca, Income, and Civil Conflict in Colombia, *The Review of Economics and Statistics*, May 2008, 90(2): 191–215
- Arellano-Yanguas. "A Thoroughly Modern Resource Curse? The New Natural Resource Policy Agenda and the Mining Revival in Peru." *Institute of Development Studies*, IDS Working Paper 300, 2008.
- Auty, R. (1990) *Resource-Based Industrialization: Sowing the Oil in Eight Developing Countries* (Clarendon Press: Oxford).
- (1993) *Sustaining Development in Mineral Economies: The Resource Curse Thesis* (Oxford University Press, New York).
- Banco de la República (n.d.) 'Series estadísticas'. Available at: [www.banrep.gov.co/series-estadisticas/see\\_s\\_externo.htm](http://www.banrep.gov.co/series-estadisticas/see_s_externo.htm).
- Bebbington, A., Hinojosa, L., Humphreys Bebbington, H., Burneo, M.,L., (2008) "'Contention and Ambiguity: Mining and the Possibilities of Development' ." *Warnaars Development and Change* 39(6):887-914.
- Bebbington, A., and Bury, J. (Eds.) (2013): *Subterranean Struggles: New Dynamics of Mining, Oil, and Gas in Latin America*. University of Texas Press
- Betancur, L. "Colombia, Primero En Conflictos Ecológicos En Latinoamérica." *Eltiempo.com*, March 29, 2014. <http://www.eltiempo.com/archivo/documento/CMS-13747755>.
- Berg, L.B, and Lune, H. (2012) *Qualitative Research methods for the Social Sciences*, Pearson education
- Burgess, R.G. (1991) Sponsors, gatekeepers, members, and friends: Access Educational Settings. In W.B. Shaffir and R.A. Stebbins (Eds.), *Experiencing Fieldwork: An Inside View of Qualitative Research* (pp.43-52). Newbury Park, CA:Sage
- Carius, A. (2006) *Environmental Peacebuilding: Environmental Cooperation as an Instrument of Crisis Prevention and Peacebuilding: Conditions for Success and Constraints*, Study

commissioned by the German Federal Ministry for Economic Cooperation and Development (BMZ), Adelphi Consult

- CINEP (2012) 'Minería, conflictos sociales y violación de derechos humanos en Colombia'. Centro de Investigación y Educación Popular (CINEP). Available at: [www.cinep.org.co/index.php?option=com\\_docman&task=doc\\_details&gid=263&Itemid=117&lang=en](http://www.cinep.org.co/index.php?option=com_docman&task=doc_details&gid=263&Itemid=117&lang=en).
- Cleaver, F. (2012) *Development Through Bricolage: Rethinking Institutions for Natural Resource Management*. Earthscan Ltd
- Collier, P, and Hoeffler, A. (2005) "Resource Rents, Governance, and Conflict." *Journal of Conflict Resolution*, Vol. 49 No. 4 625-633
- Colombian Solidarity Campaign (2013) *La Colosa: A Death Foretold: Alternative Report about the AngloGold Ashanti Gold Mining Project in Cajamarca, Tolima, Colombia*, December 2013
- Conca, K., and Wallace, J., (2012) Environment and peacebuilding in war-torn societies: Lessons from the UN Environment Programme's experience with post-conflict assessment. In: *Assessing and Restoring Natural Resources in Post-Conflict Peacebuilding*, ed. D. Jensen and S. Lonergan. London: Earthscan.
- Contraloría General de la República (2011) 'Estado de los recursos naturales y del ambiente 2010–11'. Available at: [www.contraloriagen.gov.co](http://www.contraloriagen.gov.co).
- Cortés P.M. (2013) *The Victims and Land Restitution Law in Colombia in context: an analysis of the contradictions between the agrarian model and compensation for the victims*, Ed. Forschungs- und Dokumentationszentrum Chile-Lateinamerika – FDCL (December 2013)
- De La Calle. "Zonas de Reserva Campesina "- *El Tiempo*, April 19, 2015. <http://www.eltiempo.com/opinion/columnistas/zonas-de-reserva-campesina-humberto-de-la-calle-columnistas-el-tiempo/15593780>.
- Dube, O. and Vargas, J. (2006) Are All Resources Cursed? Coffee, Oil, and Armed Conflict in Colombia, *Weatherhead Center for International Affairs*, Harvard University, Working Paper Series, No. 07-01
- Dumont, J. P. (1992). *Visayan vignettes: Ethnographic traces of a Philippine island*. Chicago IL: University of Chicago Press.
- Fierro Morales, J. (2012) *Políticas Mineras en Colombia*. Bogotá: Instituto Latinoamericano para una Sociedad y un Derecho Alternativos.
- Galtung, J. "Violence, Peace, and Peace Research" *Journal of Peace Research*, Vol. 6, No. 3 (1969), pp. 167-191

- Garavito R.C. “¿Paz Territorial Sin Paz Ambiental?” *ElEspectador*, December 2, 2015.  
<http://www.elespectador.com/opinion/paz-territorial-sin-paz-ambiental-columna-543784>.
- Gelb, A., (1986) “*Adjustment to Windfall Gains: A Comparative Analysis of Oil-Exporting Countries*,” in “Natural Resources and the Macroeconomy: A Theoretical Framework,” in J.Peter Neary and van Sweder Wijnbergen, Eds., *Natural Resources and the Macroeconomy* (MIT Press: Cambridge), 54-93
- Global Risk Insights (2015) *Financing peace: The Colombian economy after the FARC*. Retrieved at: <http://globalriskinsights.com/2015/10/financing-peace-the-colombian-economy-after-the-farc/>
- Homer-Dixon, T. “Environmental Scarcities and Violent Conflict: Evidence from Cases.” *International Security*, Vol. 19, No. I, (1994): 5-40.
- Isham, J., Woodcock, M., Pritchett, L., & Busby, G. (2003). *The Varieties of Resource Experience: How Natural Resource Export Structures Affect the Political Economy of Economic Growth*. *Middlebury College Economics Discussion Paper 03-08*, Middlebury College, Vermont
- Ismi, A. (2000 [2012]) ‘Profiting from repression: Canadian investment in and trade with Colombia’. *Americas Update* (November), 3rd edition. Ottawa: Canadian Union of Postal Workers (CUPW). 2000 edition available at: [www.asadismi.ws/colombiareport.html](http://www.asadismi.ws/colombiareport.html).
- Leech, G. (2004) ‘Plan petroleum in Putumayo’. *Colombia Journal*, 10 May. Available at: <http://colombiajournal.org/plan-petroleum-in-putumayo.htm>.
- Kamphuis, B. (2005). Economic policy for building peace. In *Postconflict development: Meeting new challenges*, ed. G. Junne and W. Verkoren. Boulder, CO: Lynne Rienner.
- Kirsch, S. (2014). *Mining Capitalism. The Relationship between corporations and their critique* (1st ed.) University of California Press.
- Mac Ginty, R. (2011) *International Peacebuilding and Local Resistance: Hybrid Forms of Peace*. Palgrave MacMillan
- Massé, F. and Camargo, J. (2012), *Actores Armados Illegales y Sector Extractivo en Colombia*”, *Observatorio Internacional, DDR- Ley de Justicia y Paz*, Vol.5
- McNeish, J.A., Borchgrevink, A., and Logan, O. (Eds). (2015) *Contested Powers. The Politics of Energy and Development in Latin America*. Zed Books.
- McNeish, J.A., Logan, O. (Eds) (2012), *Flammable Societies: Studies on the socio-economic of Oil and Gas*,

- McNeish, J.A. (2010), 'Rethinking resource conflict', *World Development report* 2011. Background paper.
- Merton, R.K. (1968) *Social Theory and Social Structure* (Rev. and Enlarged ed.). New York: Free Press.
- Mikesell, R. (1997) *Explaining the Resource Curse, with Special Reference to Mineral-Exporting Countries*, Resources Policy Vol.23, Issue 4, December, Pp: 191-199.
- Ministerio de Defensa Nacional (2013) *Logros de la Política Integral de Seguridad y Defensa*. Bogotá: Ministerio de Defensa Nacional. Available at: [www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/estudios%20sectoriales/info\\_estadistica/Logros\\_Sector\\_Defensa.pdf](http://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/estudios%20sectoriales/info_estadistica/Logros_Sector_Defensa.pdf).
- Nixon, R. (2011) *Slow Violence and The Environmentalism of the Poor*. Harvard University Press, 2011.
- Omeje, K. (2008), *Extractive economies and conflicts in the Global South: Multi-regional perspectives on rentier politics* (London: Ashgate).
- Osorio, C. “Marcha Patriótica, La Nueva Izquierda Que Nace Con Un Estigma” *La Silla Vacía*,” April 2012. <http://lasillavacia.com/historia/marcha-patriotica-la-nueva-izquierda-que-nace-con-un-estigma-32748>.
- Ouviña, H., “Las Zonas de Reserva Campesina y el Proceso de Paz en Colombia”, *TeleSur*, 16<sup>th</sup> of March 2015. Available at: <http://www.telesurtv.net/opinion/Las-Zonas-de-Reserva-Campesina-y-el-Proceso-de-Paz-en-Colombia-20150316-0036.html>
- PBI Colombia (2011) *Mining in Colombia: At what price?* Bogotá: PBI Colombia. Available at: [www.pbi-colombia.org/fileadmin/user\\_files/projects/colombia/files/colomPBIA/111122\\_boletin\\_final\\_web.pdf](http://www.pbi-colombia.org/fileadmin/user_files/projects/colombia/files/colomPBIA/111122_boletin_final_web.pdf).
- Peluso, N.L., and Watts, M. (2011) *Violent Environments*. Cornell University Press, Uthaca, United States.
- Pérez-Rincón (2014) Conflictos ambientales en Colombia: inventario, caracterización y análisis, In: *Minería en Colombia: Control público, memoria y justicia socio-ecológica, movimientos sociales y posconflicto*, Contraloría General de la Republica
- Prebisch, R. (195), *The Economic Development of Latin America and Its Principal Problems* (New York)
- Pugh, M.C, et al. (2008) (eds) (2008), *Whose Peace? Critical Perspectives on the Political Economy of Peacebuilding*. Palgrave Macmillan, Basingstoke.

- Pulido, A. and C. Osorio (2011) 'Las preguntas detrás de AngloGold Ashanti'. Available at: <http://censat.org/es/>
- Richani, N. (26<sup>th</sup> of June, 2011) Latest UNDP Report on Colombia: 'It's the Rural Economy, Stupid.' *Nacla*, Retrieved at: <https://nacla.org/blog/2011/9/26/latest-undp-report-colombia-its-rural-economy-stupid>
- (2012) 'The agrarian rentier political economy'. *Latin American Research Review* 47(2).
- Rosser, A. (2007), "Escaping the Resource Curse: The Case of Indonesia." *Journal of Contemporary Asia*, Vol. 37, No. 1, Pp. 38-58.
- Ross, M., (1999) "*The Political Economy of the Resource Curse*," *World Politics* 51, 297-322, n.d.
- Rostow, W.W. (1961) *The Stages of Economic Growth: A Non-Communist Manifesto*, Cambridge: Cambridge University Press.
- Roy, B.C., Sarkar, S., Mandal, N.R. (2013) "Natural Resource Abundance and Economic Performance—A Literature Review." *Current Urban Studies* 2013. Vol.1, No.4, 148-155 Published Online in SciRes (<http://www.scirp.org/journal/cus>), n.d.
- Schilling-Vacaflor, A. (2014) Rethinking the link between consultation and conflict: lessons from Bolivia's gas sector, *Canadian Journal of Development Studies / Revue canadienne d'études du développement*, 35:4, 503-521,
- Sankey, K. (2014) Colombia: The mining boom: a catalyst of development or resistance? In: *The New Extractivism: A Post Neoliberal Development Model or Imperialism of the Twenty-First Century?* Ed. Vletmeyer, H. and Petras, J. Zed Books
- Sala-I-Martin, X., and Subramanian, A., (2003) "*Addressing the Natural Resource Curse: An Illustration from Nigeria.*" IMF Working Paper WP/03/139.
- Singer, H., (1950) "*US Foreign Investment in Underdeveloped Areas: The Distribution of Gains between Investing and Borrowing Countries,*" *American Economic Review, Papers and Proceedings*, 40, May: 473-485,
- Stevens, P., and Dietsche, E.. "Resource Curse: An Analysis of Causes, Experiences and Possible Ways Forward." *Energy Policy* 36 (November 8, 2008): 56–65.
- The Norwegian Free Trade Campaign (Handelskampanjen) (2009) *Freedom for whom? The free trade agreement between Colombia and FTA*, Ed. Lundeberg, H., Bank, H., Holguín, A.
- United Nations Environment programme (UNEP) , *From Conflict to Peacebuilding: The role of Natural Resources and the Environment*, February 2009

- United Nations. “Consideraciones Ambientales Para La Construcción de Una Paz Territorial Estable, Duradera Y Sostenible En Colombia – Insumos Para La Discusión,” September 2014.
- Vedeld P., (1993) The environment and interdisciplinarity ecological and neoclassical economical approaches to the use of natural resources, *Ecological Economisc* 10, 1-13
- Vayda, A., and Walters, B. “Against Political Ecology.” *Human Ecology* 27, no. 1 (n.d.): 167–79. doi:10.1023/A:1018713502547.
- Wallerstein, I. (1999), *The End of the World as We Know It: Social Science for the Twenty-First Century*, University of Minnesota Press
- Wallerstein, I. (2003) “Anthropology, Sociology, and Other Dubious Disciplines.” *Current Anthropology* 44, no. 4 , 435–65
- Walter, M., and Urkidi, L. (2015) “Community Mining Consultations in Latin America (2002–2012): The Contested Emergence of Ahybrid Institution for Participation. *Geoforum*
- Watts, M., (2004): Resource curse? Governmentality, oil and power in the Niger Delta, Nigeria, *Geopolitics*, 9:1, 50-80
- Zibeche, R. (2012) ‘La paz del extractivismo en Colombia’. *La Jornada*, 7 September. Available at: [www.elciudadano. cl/2012/09/14/57221/la-paz-del-extractivismo-en-colombia](http://www.elciudadano.cl/2012/09/14/57221/la-paz-del-extractivismo-en-colombia).





