

COLOMBIA: Court Suspends Militarized Mining Operations on Afro-Descendant Lands

In March 2010, the Constitutional Court of Colombia halted the country's largest copper-mining project, which had been operating on land legally titled to Afro-descendant and Indigenous communities. For a country that has placed mining at the center of its economic development strategy, it was a momentous decision. In 2005, the government, in its bid to lure foreign direct investment, had granted the Muriel Mining Company a 30-year mining concession covering 16,000 hectares in the Chocó region, which has been the home to Afro-descendant and Indigenous communities for centuries.

This concession was awarded without appropriate consultation with the communities regarding the environmental and cultural impact of the mines, violating both the 1991 Constitution and the 1993 Law of the Black Communities. Not only did the mining operation seriously contaminate waterways in the region, Colombian military units were sent in to guarantee its operation. The disenfranchised and terrorized local communities struggled for five years in lower courts to stop the mine. In 2008, the Permanent Peoples' Tribunal officially condemned Muriel for violating the rights to self-determination of Afro-descendant, Indigenous, and Mestizo communities in the region. The decision of the Constitutional Court upholds the right of Chocó communities to be fully consulted on projects that affect their land and livelihoods.

Now, however, Muriel, together with the Ministry of the Interior, is aggressively challenging the Court's decision. In upping the ante against the communities, a new round of resistance is in the offing.

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