



## Non-Governmental Public Action Programme

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The impact of transnational  
non-governmental public actors  
(NGPAs) on policy processes and  
policy outcomes: translating  
advocacy into sustainable policy  
engagement

**Martin Scurrah**



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Editor: Professor Jude Howell

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## **Abstract**

Through a comparative analysis of five case studies of conflicts in Peru between four multinational mining companies and a multinational oil and gas consortium, on the one hand, and local communities affected by their operations, on the other, the key factors affecting the outcomes of each case are described. The degree to which the outcomes represented lasting changes in company or government policies and practices is examined in the light of the degree to which there was monitoring or follow-up on the decisions made and whether exemplary cases were employed to establish precedents. Four factors are identified as key in determining outcomes: (i) the existence and strength of alliances between organisations representing those affected and local, national and international support groups; (ii) the quality of the research and documentation on the problems and proposed solutions; (iii) a skilled combination of popular mobilisation and public pressure with behind-the-scenes lobbying; (iv) the employment of the media to influence public opinion and change the terms of the debate.

### *About the Author*

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### *Acknowledgements*

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## **Introduction**

This paper presents some reflections and learning derived from an analysis of the experiences of Oxfam through its participation in a Peruvian social movement comprising international NGOs, national and sub-national NGOs, and national, regional and local organisations representing communities affected by the expansion of extractive industries since the mid 1990s. It is based on a comparative analysis of five case studies, four involving international mining companies and one an international gas consortium. These were conducted by the author and four of his Oxfam colleagues, and are currently being prepared for publication in Peru in Spanish. The paper therefore represents the analysis and reflections of an actor who, as Regional Director of Oxfam America, the Oxfam International Lead in Peru and member of Oxfam International's Regional Strategic Team, was involved in the overall direction of Oxfam's involvement in these advocacy activities.

Traditionally, Oxfam's advocacy in South America had been limited to providing financial support to campaigns or other efforts by regional partners to influence governments or other powerful actors, but without any direct involvement by Oxfam staff. Although on occasions Oxfam staff had helped contact partners with influential persons and institutions in the North, the received doctrine in the region was that advocacy meant occasional financial support for *partners'* advocacy efforts and help in connecting them with allies for advocacy in the North, thus defining a financial and occasional brokering role for Oxfam, but without any further engagement.

In the late 1990s, however, and especially after the anti-globalisation protests in Seattle in November 1999, the idea that Oxfam should become a global campaigning force emerged, leading to a first experience with Oxfam International's Education Now campaign. These changes at the global level coincided with an increasing number of requests from indigenous leaders in the Amazon basin for support in dealing with the incursion of multinational oil and gas companies on their territories and from indigenous leaders in the Andean highlands for support in dealing with the expansion of mining activities into their communities. Realising that these local problems affecting a wide range of partners were manifestations of global forces, Oxfam staff (beginning in 1998) began to develop the rationale for a region-based advocacy

program in extractive industries, concentrating on the impacts of oil and gas companies in the Amazon and mining companies in the Andean highlands.

These initial explorations coincided with a dialogue in the UK between Oxfam Great Britain and British Petroleum about the impacts of the latter's activities on the human rights situation in Colombia, raising the possibility of using this as the starting point for an international advocacy campaign. Furthermore, although they have never had a regional program in South America, Oxfam Australia was proposing the creation of a Mining Ombudsman to monitor the impacts of Australia-based mining companies on the rights of local communities, mainly in South East Asia and the Pacific. Further to such efforts, several Oxfams were becoming involved in supporting local partners in advocacy around the Chad-Cameroon oil pipeline in West Africa. Thus, supporting advocacy around the impacts of extractives promised both to be an effective response to the needs of poor rural communities, most of them indigenous, and an opportunity to engage with some of the major globalising processes impacting on poor communities in the world at large.

Although Oxfam International eventually decided to focus its global efforts on international trade through the Make Trade Fair campaign, Oxfam International's South America Regional Strategic Team decided in May 2000 to incorporate in its priorities an extractive industries advocacy program with an initial focus on the impacts of mining companies in the Andes in Peru on the rights of local communities. This program had been developed by Oxfam America, initially in collaboration with Oxfam Great Britain, but subsequently until early 2005 by Oxfam America alone 'by delegation', a situation which created some confusion as to whether it was an Oxfam *America* or an Oxfam *International* program and led to some tensions between the Oxfams when the program came under public attack from government and industry.

However, extractives advocacy in Peru was not 'invented' by Oxfam. Since the mid 1990s an informal group of researchers, anthropologists and NGO representatives had been meeting regularly to exchange information about the activities of oil and gas companies in indigenous territories in the Amazon and these became interlocutors with Shell as it undertook exploration activities in the Lower Urubamba river valley with a view to exploiting the Camisea natural gas deposit. Furthermore, in the late 1990s a group of five NGOs<sup>2</sup>, some of whose members had previously worked with

mining unions, others on environmental issues and one with peasant communities, became involved in advising mainly highland communities about their rights vis-à-vis mining exploration and exploitation activities on their lands. In October 1999 this led to the creation of the National Coordinator of Communities in Peru Affected by Mining (CONACAMI) as a national organisation, which sought to represent and defend communities affected by the rapid expansion of mining, especially in regions where it had not previously been present.

The creation of CONACAMI, supported by a coalition of NGOs, provided a focus for what had been until then a series of isolated conflicts between mining companies and the surrounding communities and provided shape and leadership for a social movement around the issue of the rights of local communities in the face of the expansion of mining onto their territories and the associated environmental and social impacts. This influenced Oxfam's decision to give priority to mining in Peru in its support for extractives advocacy although, as we shall see, it also became actively involved in support for the coalition of civil society actors concerned about the impacts of the Camisea natural gas project.

In early 2000 CONACAMI developed its strategic plan, including the changes it sought in government policies, such as the law allowing for the virtual expropriation of community lands for use by mining companies and the procedures for approving the environmental impact assessments (EIAs), and company practices, such as the contamination of water supplies and providing economic and other benefits for affected communities, and the conflicts to be given priority attention either because of their magnitude and severity or because they provided exemplary cases of the broader changes that were being sought. CONACAMI very quickly managed to place mining on the public political agenda through its mobilisation of community members through marches and protests around both specific conflicts and some of the overall changes being sought.

As a result of a national mobilisation in December 2000 and through the intervention of Peru's First Lady, the president offered to sponsor a dialogue between government, industry and CONACAMI, but this became indefinitely stalled when mining representatives convinced the government that other organisations representing local and rural interests should also participate, thus diluting and potentially dividing the



representation of the local communities in the negotiations. On the other hand, CONACAMI's activism sponsored the creation of a Mining and Sustainable Development Dialogue Group, in which CONACAMI did not participate, but which included individuals from communities, municipalities, NGOs, government and industry and which provided a venue for informal dialogue and discussion.

Although CONACAMI's direct involvement and influence in local conflicts varied and was frequently negligible it did serve as a national representative and voice expressing communities' concerns in the media, influencing public opinion and serving as a target for attacks by representatives of government and industry and their allies in the media. A referendum in the town of Tambogrande in June 2002 resulted in the overwhelming rejection of mining in favor of agriculture as the basis for the region's development and provoked a media campaign evidently promoted by the mining industry with government support, which lasted with varying degrees of intensity through 2006, which attacked CONACAMI and Oxfam as promoting violence and terrorism, as being 'anti-mining', and as opposed to foreign private investment and, indeed, to the country's development in general.

While Oxfam was supporting CONACAMI and a range of its allies at both the national and local levels in a series of specific conflicts and, through these, attempting to define a national agenda for changes aimed at addressing the issues in a more comprehensive and systematic fashion, Oxfam America specifically was developing an extractive industries team which would address globally the issues raised by the industry's expansion and impacts. Inspired by the developments in South America, and especially Peru, the regional offices in East Asia, the US, West Africa and Central America began to develop programs in support of communities in their regions. A global team was created with representatives from the regional offices and key home office departments and an extractives advocacy position was created in Washington, DC, to coordinate the overall effort.

Drawing on the outcomes of a process in which Oxfam, together with the Peruvian Environmental Law Society (SPDA) and the Washington, D.C., based Environmental Law Institute (ELI) and with support from the Ford Foundation, had organised a series of meetings with representatives of communities affected by mining in Ecuador, Peru, Bolivia and Chile to obtain their views about the feasibility of developing a mining

certification program, at the beginning of 2000 Oxfam America and Earth/Works, a Washington, D.C., based environmental NGO specialising in mining, launched the No Dirty Gold campaign. This included a list of demands based on the consultations with South American community representatives and sought to eventually engage gold mining companies in negotiations regarding a mining certification process through pressures from communities impacted by gold mining activities, on the one hand, and from gold purchasers, especially jewelry retailers in the North and, more specifically the US, on the other. Although Oxfam's regional staff and partners were critical of some aspects of the campaign document, they agreed to become involved in the situation in Cajamarca, where there were tense relations between the local community and the Yanacocha gold mine, the second largest in the world and owned by the Newmont Mining Company based in Denver, the Buenaventura Mining Company (Peru's largest mining company) and the World Bank's International Finance Corporation (IFC).

Thus, there was an attempt at the national level by CONACAMI and its allies to relate individual conflicts between mining companies and local communities to broader changes, especially in government policies and institutional arrangements, in order to avoid becoming bogged down in a seemingly never-ending series of specific conflicts. Similarly, at the global level Oxfam America sought to use the conflicts between local communities and gold mining companies in different parts of the world as a means to pressure the companies to introduce changes in global industry policies and practices which would contribute to meeting community demands, resolve existing conflicts and prevent future ones. This meant that the civil society organisations involved in the conflicts in Peru formed part of local, national and international agendas that, although complementary and promising important synergies, were not always well understood by all the participants; furthermore, at times these agendas implied competing priorities.

## **The Five Case Studies<sup>3</sup>**

### *Tambogrande<sup>4</sup>*

This case involved the attempt by a Canadian “junior” company, Manhattan Minerals, to develop an open cut mining project near the town of Tambogrande on the north coast of Peru. The proposed project would have involved the displacement of about one-third of the town’s population and was seen as a threat to the environment, especially water, and the agricultural activities in the San Lorenzo valley. The Tambogrande Defense Front (TDF) was formed to represent urban and rural interests that would be affected by the project, as well as a ‘Technical Table’, comprising a coalition of local and national NGOs. This collection of actors undertook a campaign to persuade the Ministry of Energy and Mines (MINEM) to cancel the project by not approving the EIA presented by the company.

After several years of debate, frustrated dialogues, protests and marches, a referendum and media campaigns, the MINEM decided not to pass judgment on the EIA but rather used the company’s failure to comply with some requirements in its agreement with the state enterprise Centromin Peru to terminate its relations with the company. Subsequently, the company changed its name and ceased operations in the country.

### *Tintaya<sup>5</sup>*

This is an open cut copper mine in the Espinar province in the Cusco region of Peru which was originally developed by the state enterprise Minero Perú and later privatised. The five indigenous communities adjacent to the mine had carried out a number of protests against the process by which their lands had been acquired by the mine, the contamination of the water supply and human rights abuses by company workers but were unsuccessful in having the company pay attention to their demands. With the founding of the Regional Coordinator of Communities Affected by Mining (CORECAMI-Cusco), affiliated with CONACAMI, and with support from the NGO CooperAcción, two reports were prepared in support of the communities’ demands.

Oxfam America arranged to have these reports translated into English and sent them to Oxfam Australia’s mining ombudsman in Melbourne where the head office of the company then operating the mine, BHP Billiton, was located. The ombudsman

decided to investigate the charges and so informed the company's management. At the end of her first inspection visit the ombudsman managed to persuade the company to engage in a dialogue process with the five neighboring communities, CORECAMI-Cusco, CONACAMI, the Espinar municipality, CooperAcción and Oxfam America, with the ombudsman acting as an external monitor and guarantor of the process. After four years of negotiations, at the end of 2004 a detailed agreement was signed and is currently being implemented.

### *Yanacocha*<sup>6</sup>

Yanacocha is an open cut gold mine in Peru's Cajamarca region whose construction began in 1992. It is the second largest gold mine in the World and the largest in Latin America and had accumulated a series of conflicts and tensions with its neighbors in the city of Cajamarca and nearby rural communities owing to its social and cultural impacts, the process by which land had been acquired from the communities, a large mercury spill on the highway passing through the town of Choropampa, the extermination of fish in the rivers adjacent to the mine and the attempt to expand its operations to Cerro Quilish, despite the fact that the latter had been declared a municipal reserve in order to protect the city's source of potable water.

A large majority in the region believed that the company's attempts to exercise control and influence over the region by using its economic power and political influence to co-opt individuals and institutions and foment divisions had worsened the pre-existing distrust and fragmentation in Cajamarca's civil society. Despite the reservations expressed by state agencies and civil society institutions concerning the EIA presented by the company to expand its operations onto Cerro Quilish and despite the community's public opposition to mining there, in July 2004 the EIA was approved by the MINEM and, taking advantage of the national Independence Day holidays at the end of the same month, the company moved its machinery onto the mountain, provoking the reaction of urban and rural communities and organisations grouped in a coalition lead by the Cajamarca Defense Front. After several weeks of continuous protest meetings, marches, highway blockades and negotiations, the MINEM agreed to leave the approval of the EIA and the permission to exploit Cerro Quilish without effect and the company emitted a public declaration admitting its errors and asking to be pardoned by the local population. Two months later the company formally requested that its permit to explore on Cerro Quilish be revoked.

### *La Oroya*<sup>7</sup>

The La Oroya metallurgical complex was constructed in 1922 by the U.S. company, Cerro de Pasco Copper Corporation, and from the very beginning generated demands from the owners of private farms and peasant communities who were being affected by the fumes, obliging the company to take measures to reduce the contamination (without eliminating it) and buy land until it became the largest land owner in the country. However, contamination continued as a latent problem during the following decades with both workers and the townspeople learning to live with it and accept it as a fact of life that seemed to be inevitable.

In 1973 the complex passed into the hands of the state through an expropriation process but in 1997 it was privatised (without the state having addressed the contamination issue in any way) and bought by another U.S. company, Doe Run Resources, which had its home office in Saint Louis, Missouri, and formed part of the Renco Group of companies with headquarters in New York. Under the purchase agreement, Doe Run agreed to implement an environmental management program (PAMA) that comprised a series of investments to eliminate the pollution generated by the complex and to be completed by the beginning of 2007.

Towards the end of the 1990s several NGOs grouped in the UNES consortium carried out a study of lead levels in the blood of children and pregnant women in La Oroya whose results, subsequently confirmed by a series of studies by others, including the state, demonstrated the existence of a grave public health problem attributable to the complex's operations<sup>8</sup>. In 2003 a coalition of community organisations formed the La Oroya Health Movement (MOSAO) that, with help from a Technical Table of local and national NGOs and international allies, began a campaign to pressure the company to comply with its agreement with the state, since there were continuous delays in the implementation of the agreed investment program, and the government to protect the right of the community to a healthy environment.

At the end of 2004 the government issued a decree specifying the conditions under which any mining company could request the extension of the period for carrying out its environmental management agreement. Doe Run was the only company to present a request for reprogramming its investment plan, alleging technical and financial

difficulties as the reasons for the delays and presenting a proposal for completing the plan over an extended period. In mid 2006 the MINEM finally granted the company an extension, but for a shorter period than that requested by the company, with additional investment requirements and a series of conditions and controls not previously included in such plans.

### *Camisea*<sup>9</sup>

The Camisea natural gas deposit, located in the Lower Urubamba river valley in the Amazon basin north of the city of Cusco, was discovered by the Shell oil company in the early 1980s. In 1996 the company signed a contract with the Government of Peru to invest some US\$1.6 billion in its development but in 1998 Shell withdrew and was replaced in 2000 by two consortia lead by two Argentine companies: PlusPetrol, which lead the upstream consortium to extract the gas, and Techint, which lead the downstream consortium to transport and distribute the gas. The project comprised four production wells, three of them in a reserve for indigenous peoples in voluntary isolation; two pipelines, one carrying gas and the other associated liquids, over the Andes to the Pacific coast; and a fractionation plant on the coast in the buffer zone of the Paracas Nature Reserve. Subsequently, a liquification plant was added on the coast south of Lima to prepare natural gas for export.

This was to be the largest energy project in the country's history and was seen as key to the country's energy future but it was also recognized that it involved exploration and drilling in an area of extreme social and biological sensitivity. When Shell began operations in 1998, at a moment when it was under heavy criticism for its activities in Nigeria and the North Sea, it set high standards for environmental and social practices in its Camisea operation, thus creating great expectations for its successors. A critique of the operation's EIA presented by Patricia Caffrey to meetings in Washington, D.C., and Lima and in two workshops in the Urubamba in early 2002 highlighted a number of concerns, which included the possible social, cultural and health impacts on indigenous people in voluntary isolation; the possible damage to water and land ecosystems; the possible impacts on habitats and biodiversity; the effects of erosion during and after the construction of the pipelines; the risk of colonisation by outsiders from the highlands entering along the pipelines' right-of-way; the risks associated with a fractionation plant and ship berthing area close to the Paracas wildlife reserve; and fears that government agencies did not have the

capacity or experience necessary to adequately supervise a project of this magnitude and complexity.

From the time of Shell's involvement Oxfam America had accompanied an informal "jungle group" of NGOs and indigenous organisations with a history of involvement in the Urubamba valley and had helped fund the Caffrey study. This core group raised their concerns through letters to and meetings with government agencies and the Interamerican Development Bank (IDB), which had been approached by the government to help fund the project, and met with representatives from environmental and rights organisations in the US. For a time there were tensions between the civil society organisations in Peru, who were convinced that the project could not be stopped but that it might be possible to incorporate safeguards, and those in the US, who were opposed to the project altogether. However, when more than twenty NGOs and indigenous organisations in Peru formed a coalition with a common platform, the US NGOs modified their positions.

This enabled civil society organisations in both countries to undertake complementary lobbying and media campaigns on the basis of a common platform to convince the IDB and Export Import Bank to approve their loans on condition that environmental and social safeguards were put in place. In this campaign they were opposed by the companies and the Government of Peru but found a crucial ally in the U.S. Government, whose representatives consulted with civil society organisations in both countries and used its voting power to negotiate an agreement within the IDB to approve the loan (US\$75 million) subject to over fifty detailed conditions. This was aided by the fact that the Import Export Bank had denied its loan request of US\$214 million dollars on environmental grounds. In the final vote the U.S. representative abstained and the decision was without precedent in the history of the IDB.

Implementation of this agreement, however, has been patchy. Difference between the wording of the English and Spanish language versions of the conditions enabled the government and companies to comply with the more lenient Spanish language version; IDB officials were generous in their desire to accommodate the needs of the companies and the Peruvian Government; civil society monitoring was weak and inconsistent; discussions between the IDB and Peruvian organisations over an independent monitoring system dragged on without any agreement; and in its first two

years of operation the pipeline had an unprecedented six spills, indicating the haste with which it had been built to meet government deadlines.



## **Key Factors Influencing The Outcomes**

Each of these five cases is rich in the variety of challenges posed, the actors involved, their interests and strategies and the final outcomes. However, this analysis will focus on three central themes: (i) the key factors influencing the outcomes of each case; (ii) monitoring and policy implementation; (iii) the global/local linkages and tensions.

In the five cases studied, a marked inequality in power and resources between the actors created conditions for abuses and violations of rights. and gave rise to campaigns aimed at changing the situation which, in turn, resulted in conflicts. This initial situation of inequality was not always determinate, since in many cases relatively powerless communities were able to successfully confront powerful transnational companies and government agencies by developing their own capacities and establishing alliances with other actors. In addition, the evolution of democracy in Peru, in terms of a developing democratic culture, evolving attitudes and behaviors and more effective institutions, has created an external context which has tended to increase the probability of success for weaker actors.

Some of the contextual factors favouring communities affected by extractive operations and their allies are as follows. First, the internal crisis and contradictions of the authoritarian Fujimori Government (1990-2000), leading to its downfall, combined with the popular mobilisation culminating in the *marcha de los cuatro suyos*, led to the installation of the interim government of President Paniagua. This represented not only a change in personnel, but also in government style, with a greater degree of consultation and transparency. Second, as a result of the revelations of organised corruption under Fujimori, legal and institutional changes reduced corruption in government, although without achieving its complete elimination, Third, there were institutional changes in the National Congress which encouraged congressional committees to undertake inquiries, increased the number of public hearings and opened up the Congress's facilities for public discussions and debates. Fourth, the weakening and discrediting of the state's intelligence and security apparatus reduced fears and concerns of repression amongst community members and their leaders and encouraged them to organise and mobilise in the defense of their rights. Fifth, the gradual reconstruction of civil society institutions and organisations after the period of political violence and authoritarianism and their growing contacts with international

organisations created new opportunities for alliances. Sixth, the post Cold War integration of the defense of political and civil rights with economic, social and cultural rights and the establishment of an Inter-American human rights system provided communities with an ideological discourse and associated institutions whose legitimacy transcended the limits of influence of local and national elites and power brokers.

While in general during the first years of the new century the overall political context was more favorable for community organisation, mobilisation and protest in comparison with the previous two decades and for challenging other actors who had previously exercised a dominating influence over political decision making, the increase after September 2001 in concerns about terrorism and international security and their possible links with the illegal drugs industry was employed by the extractives industry, the government, sections of the media and some foreign governments and embassies as a pretext for questioning the motives of protesting communities and their leadership and for attempting to discredit them by associating them with violence, terrorism and drug trafficking: what came to be known as ‘the criminalisation of dissent’. While this factor did not prevent popular mobilisation and protest from occurring, it did place constraints on the forms that these could take, and on the need to avoid the appearance of violence in a country where ‘democracy by violence’ or the *threat* of violence (Payne 1965) had evolved as the most effective means for weak political actors to challenge the monopoly of political power enjoyed by corporations and their allies in government.

### *Tambogrande*

The outcome of the Tambogrande conflict was favorable to the community, at least in the short run, although not in the way they had expected. The community’s campaign was focused on the goal of persuading the Ministry of Energy and Mines to reject the EIA presented by Manhattan Minerals because of the environmental and social impacts and concerns. The Defense Front and its allies hoped that this would make this and any future similar proposal unviable and would establish a precedent which would legitimate the exercise of free, prior and informed consent by local communities.

However, success on both aspects was only partial. No official decision was made about the project's EIA since the project was discontinued due to the company's noncompliance with conditions in its agreement with the state mining company. Thus, while *this* particular project was stopped, the door was left open in principle for another company at some future moment to present a better substantiated proposal<sup>10</sup>. Furthermore, while the community's refusal to grant its consent was undoubtedly the deciding factor in the outcome, *formally speaking and officially* the reason for the discontinuance of the proposal was the Canadian company's noncompliance with its contractual agreement with the state, a matter about which the community's opinions were irrelevant since the results of the referendum were declared to be nonbinding on the MINEM. Nevertheless, in the short run and in the political context of the time, the outcome undoubtedly represented an important victory both for the community of Tambogrande and the San Lorenzo valley, who saw their livelihoods and way of life under threat from the project, and for their allies, who were attempting to establish the principle of free, prior and informed consent from local communities to such large-scale projects as a universal right; this principle was firmly placed on the agenda of the public debate in Peru and elsewhere.

A critical factor in achieving this outcome was the leadership and organisational capacity of the Defense Front, which was able to make alliances, develop effective campaign strategies and maintain discipline in its ranks. In particular, after some initial errors, they learned how to mobilise large numbers of people in protests that threatened potential violence without becoming so, and which could be portrayed as exemplary exercises in citizenship and nonviolent political action. Thus, they converted "democracy by violence" into "democracy by *non*violence".

A second key factor was support from its alliance with local and national NGOs, many linked to the Catholic Church, and activist international NGOs, who provided technical and professional advice, produced/commissioned scientific and technical studies, developed alternative proposals and served as brokers between the Defense Front and other national and international actors.

A third critical factor was that, in this particular case, the community believed that it had an alternative source of livelihood in terms of agriculture, in which they had substantial sunk costs (mainly associated with the San Lorenzo irrigation project), with

a growing export potential based on the increasing employment of organic agriculture, all of which would potentially be threatened by the mining project. Furthermore, a study produced by the *Mesa Técnica* produced a plausible case substantiating the reliance on agriculture as an alternative development strategy. This led to a fourth factor, the use of research, expert opinion and alternative studies to question the monopoly on information, analysis and proposals enjoyed by government and industry in such conflicts. In this case, the Defense Front and its allies raised legitimate questions about the quality of the draft EIA and presented plausible alternatives which could not be lightly dismissed and placed the government and company on the defensive.

Undoubtedly, the Defense Front was also helped by the fact that the proposed project was presented by a junior Canadian company with limited financial resources, experience and expertise. The company was unskilled in handling relations with the community, and inept at gaining sympathy and understanding for its position, eventually becoming an embarrassment both for the Ministry and its allies in the National Mining Society. Finally, the *Mesa Técnica* staged a very effective media campaign that linked local and regional issues and concerns with national symbols and sentiments in such a way as to have a substantial influence on public opinion and through that generate pressure on the Ministry to find a way to suspend the project. The Tambogrande case also achieved significant attention internationally, with internet campaigns organised by institutions in the US and Europe, the presence of independent Canadian observers at the referendum, exchange visits with other Latin American organisations and the conversion of Tambogrande and its referendum into an international symbol of the claim by local communities in a globalised world to a right to an influential voice in decisions affecting their lives and futures.

### *Tintaya*

The political and social context within which the negotiations took place in the Tintaya case was not particularly favourable. Although the political space for popular mobilisation was expanding, there was a general belief that successful negotiations between a multinational company and indigenous communities would not be possible because of the cultural differences and the lack of a political 'culture of negotiations and compromise' in Peru. Both the company and the communities received pressure from their respective constituencies and allies to abandon the Dialogue Table – and

CONACAMI eventually did, only to return after the agreement had been signed – because it was believed to be a waste of time. Both sides had to continuously justify and defend their participation in the process in the face of much scepticism and suspicion.

One factor that favored the successful outcome of the five-communities dialogue process was that, at the time the issues of concern to the communities were raised with company headquarters through Oxfam Australia, BHP Billiton was reeling from the public relations disaster resulting from its conflicts with local communities near the Ok Tedi mine in New Guinea and was searching for a way to recuperate its credibility as a socially responsible company. The possibility of demonstrating its commitment to corporate social responsibility, and its ability to generate positive community relations through a dialogue process concerning a mine that was inessential in terms of the company's own economic and financial survival, was an attractive proposition. If all went well, the company could use the process to strengthen its public image but, if not, the project was located in a country invisible to shareholders, and which would not represent a serious threat to the company's balance sheet. Furthermore, as the negotiations progressed, the key managers involved began to see how their successful conclusion could contribute to the development of their own professional careers, promoting the visibility and prestige of this particular unit within the larger corporation.

Another critical factor was the support from Oxfam, enabling the communities to bring their concerns to the highest levels of company management in the home office over the heads of local mine management. The subsequent annual visits and reports of the Oxfam Australia Mining Ombudsman maintained continuous pressure on the company at both global and local corporate levels to continue negotiating in good faith in the search for enduring solutions.

As was the case with Tambogrande, research and documentation were important strategies both in bringing the company's attention to the problems and demonstrating that they did indeed exist and in getting the negotiation process going. They were also important in establishing a common ground of shared information and facts during the course of the negotiations, either through an investigation by a mutually chosen third party, as in the case of the Institute for Legal Defense's study of the accusations of

human rights abuses, or through a joint study, such as that on contamination, which was carried out by two institutions, one named by the company and the other by CooperAcción. Once ‘the facts of the case’ were no longer in dispute, it was easier to find agreement over the possible solutions or measures to be taken.

However, perhaps the most important strategy was the investment of all parties in the process itself, by providing training to all involved, taking measures to establish and build trust, negotiating and agreeing upon clear and accepted rules and procedures for the negotiations, breaking down the issues into several manageable pieces and assigning each to a specialised commission, by ensuring that the costs of the process be borne by all sides, even if not in equal proportions, by requiring that all decisions be made by consensus and by ensuring the participation of all relevant actors. The members of the Table avoided the temptation of seeking “quick fixes” and were prepared to devote the time, energy and patience necessary to obtain the buy-in of all concerned for each measure and decision that was taken. This meant that the process took much longer to reach a final agreement than anyone had originally imagined but it also meant that the agreement was a more enduring one.

Finally, the role played by the communities’ allies, both NGOs and regional and national representative organisations, in brokering the relationship between the communities, the company and wider society, and in managing the complex intercultural relations involved enabled each side to gradually increase its understanding of the other, overcome prejudices and misconceptions and build a relationship of trust. Thus, the notion that “outsiders” would only interfere with or distort the direct relationship between the company and the communities proved to be incorrect and, to the contrary, they served to even up the playing field and create the conditions for each side to begin to take the risk of trusting the other.

### *Yanacocha*

In several senses the outcome of the conflict over Cerro Quilish in Cajamarca was a victory for the coalition of urban and rural forces that mobilised against the Yanacocha mine. The permission granted by the Ministry of Energy and Mines to the company to expand its operations onto the mountain was rescinded, thus eliminating or at least reducing the threat to the water supply of the city, and of those communities reliant on water from the mountain for their agriculture and livestock. It was also a victory in a

symbolic sense by local interests against a powerful company whose majority owners were a multinational mining company based in the US and the World Bank's investment arm. Finally, it showed the capacity of local organisations and authorities to gain the attention of the central government and persuade it to side with the community against the mine, which it had rarely done in the past. On the other hand, the outcome could only be considered to have been only partially successful, because in subsequent statements company representatives expressed their hope to be able to exploit the mountain in the future, indicating their perception of the affair as merely one battle lost in a longer-term, ongoing war.

One deciding factor in this case was that the United Civic Front was able to forge a temporary alliance between rural interests concerned about the availability of water for irrigation and animal consumption and urban interests concerned about the security of the city's water supply for household use. Though heterogeneous and fragile, the coalition held together for several crucial weeks of protesting, road blockages and negotiations until the permission was rescinded. One important reason that it held together was the shared hostility towards a company that had manipulated and dominated the region for over a decade, displacing local elites, influencing the city and regional government, buying adhesion and support, vilifying opponents through its control over the local media and sowing conflict and distrust. Two dialogue tables between the company and local community organisations had been largely unsuccessful and had generated considerable frustration and disillusionment; much of the blame for this was attributed to the company<sup>11</sup>.

The municipal government was a key ally at certain moments in the campaign and a key opponent at others, but never exercised clear and consistent leadership. The municipality had raised the visibility of the issue by declaring Cerro Quilish to be a municipal reserve and defending this measure against the company's attempts to have the ordinance declared illegal all the way to the Constitutional Tribunal. On the other hand, there were also moments when the regional and local governments sided with the company in exchange for personal or institutional benefits and they only joined the protest against the company's incursion on Cerro Quilish in the final stages.

Another crucial factor concerned differences between the mine owners and changes occurring within the principal shareholder, Newmont. During the Fujimori government

of the 1990s the mine was operated by the Peruvian partner, Buenaventura, which was owned and run by one of the country's elite families and maintained cordial relations with an authoritarian-populist government which was subsequently shown to have ruled through the massive corruption of institutions and individuals. To some degree the mine was managed in the way the country was being run and thus generated either corrupt submission or angry rejection by elements of the local community. With the change of government in the new century this style of management was no longer appropriate so that Newmont decided to assert its right as majority shareholder to assume operational control. However, it encountered an organisational culture in the mine with established relations and networks which penetrated local and national power centers which it found difficult to change or replace.

Within Newmont itself, some two years earlier an executive hired to change the organisational culture from vertical, authoritarian and hard-line principles to more participatory and inclusive ethics had resigned in despair. In its role as advisor to an ethical shareholder group engaged in conversations with Newmont's top management in Denver during the year leading up to the Cerro Quilish conflict, Oxfam was able to observe the conflicts and tensions between members of top management who defended the traditional organisational culture and others who sought to "modernise" it, and also how directives from the "modernisers" in Denver were often subverted or ignored by mine management in Cajamarca. The persistence of the hard-line culture in Yanacocha led the company to take actions that provoked the community's reaction but it was not able to impose its will as it had previously both because of the change in conditions in Peru and because it lacked solid support from top management in the U.S. The "modernisers" in Denver prevailed over the "hard-liners" in Cajamarca by deciding to pull back from exploiting the concession and issuing a public apology, although subsequent events suggest that the struggle for hegemony within the company and the partnership continues without a definite resolution.

The lack of follow-through and the apparently transient nature of the victory were due in great measure to the fragmented nature of civil society in the region, and the continued divisions within the company and between the mine's three shareholders. Although at times of crisis civil society actors were willing to unite in opposition to the mine, at other times the environment of distrust and suspicion that the company had



helped create prevented them from working together on long-term negotiations to resolve complex issues in the relations with the company. In an area where community organisation was traditionally weak and had given rise to the emergence of *rondas campesinas*, the *ronda* federations engaged in competitive conflict, reducing their capacity to present a unified voice in representation of rural interests, while in urban areas the influence of rival political parties in many community organisations also tended to undermine unity. By the later 1990s the Catholic Church, which at one time had spoken with a united and progressive voice, was divided by the struggle between Opus Dei and the Society of Jesus, with the bishop preferring to maintain a low public profile rather than exacerbate the divisions within his own ranks. In the initial period following the Cerro Quilish crisis, it seemed that those within the Newmont Mining Company who were seeking a dramatic change in company policies and practices towards local communities near its mines throughout the world had gained the upper hand. However, as time went on and key staff in Yanacocha identified with the old practices were retained and as some of the head office reformers left, it seemed that the company was drifting back to old habits in the absence of clear new directions. Thus, from the point of view of resolving the relations between mine and community, Cerro Quilish seems to have represented a passing victory for the community but also a lost opportunity for all involved.

### *La Oroya*

In the case of La Oroya, the outcome of the campaign between environmental and social activists, on the one hand, and the Doe Run company, on the other, over the extension of the period for the implementation of the company's environmental management plan could be characterised as either a win/win or lose/lose for both sides. The company could describe it as a win because it did receive an extension of the period for implementation, though less than it requested. The campaigners could consider it to have been a win because, though the period was extended, it was under much more stringent conditions and subject to much greater supervision than in the past. Thus, each received part of what they sought but less than what they had hoped for.

Nevertheless, from a longer perspective there can be no doubt that by the time of the decision MOSAO and its allies were in a much stronger position vis-à-vis both the company and the Ministry than at the end of the 1990s when the impact of the

metallurgical complex on the public health of La Oroya was neither recognised nor acknowledged, and the company was successfully portraying itself as environmentally and socially responsible, painting the town in the company colors of green and white. Overall, however, the main winner seems to have been the Ministry of Energy and Mines which reasserted its autonomy and role as the final arbiter after a fierce lobbying battle which threatened its internal unity and cohesion.

The key factors influencing the outcome of the process were the following. First, as in Tambogrande, the creation of MOSAO as a coalition of community organisations representing those affected by contamination, and the *Mesa Técnica* group of NGOs providing professional and technical expertise, provided direction, continuity and legitimacy to the campaign, despite the fact that, in this case, MOSAO's voice was covered by the adverse and hostile environment in the town. Second, the production and dissemination of research and studies documenting the impacts of contamination on the population obliged the company and government to undertake and publish their own studies confirming the existence of the problem, undermining early attempts to attribute it to other causes (such as the accumulated contamination from previous decades and highway traffic). Third, the ability of the *Mesa Técnica* to gain allies in the National Congress and the Ministry, present themselves as a source of reliable alternative information and proposals and lobby in support of their position went a long way towards neutralising the previous domination of the Ministry by former employees of the company. Fourth, despite the company's control of the town of La Oroya through its economic dominance and its alliance with the unions and the municipality and its influence in the national and local media, at crucial moments in the campaign MOSAO was able to break this control through media reports and visits from its allies in the US (especially the Presbyterian Church and Oxfam America), including that with community organisations in the company's home town of Herculaneum. Fifth, the active intervention of the newly-appointed Catholic bishop in Junín in the final stages of the campaign not only broadened the scope of the impacts from the town of La Oroya to include the Mantaro river valley, thus including a whole range of additional actors impacted by the company's contamination who were not under its control, but also required the company to focus its attacks on the Catholic Church at the risk of alienating many of the company's supporters and legitimizing the position of MOSAO and its allies, who could thus assume a lower public profile. Finally, again in the final stages of the campaign, the *Mesa Técnica*, in an implicit alliance with the Church and

on the basis of its lobbying successes, was able to gain access and influence in key national media and obtain a shift in public opinion, including that of the National Mining Society, against the company and towards the demand for stricter controls over the implementation of any agreement.

### *Camisea*

As was common in almost all the cases, when the IDB announced its decision to approve the Camisea consortium's loan request subject to a long list of conditions both sides – the companies and the Peruvian Government, on the one hand, and U.S. and Peruvian civil society organisations on the other – claimed victory. However, what began as almost a routine loan request for a natural gas project which was seen as vital for Peru's energy future ended in a debate over whether the government and the oil and gas industry were serious about their claims to respect the environment and the rights of indigenous peoples. The conditions placed on the loan not only reflected this scepticism, but also were supposed to ensure that a number of measures, many of them promised but never implemented, would be taken to protect both human rights and the environment. This was unprecedented for the IDB which had always acted very much like a gentlemen's club and was considered the most reluctant of the World Bank group of international financial institutions to take on board measures to safeguard the environment and indigenous peoples. Thus, while the government and consortium obtained the loan that ensured that the project would go ahead – and even went so far as to claim that this represented an environmental "green seal of approval" – it was subject to conditions never before required of any loan and, though it was claimed that this did not represent a formal precedent, there was little doubt that in practice it would influence such decisions in the future.

One of the challenges that the civil society organisations concerned about the actual and potential impacts of the Camisea project faced was to reach agreement on who the target of their campaign should be and what they should ask. Some were concerned about the impact of the project on the indigenous people, others about its impact on biodiversity in the Amazon basin and others about its impact on the Paracas nature reserve on the Pacific coast. Some believed that the project should be stopped and that the IDB should be asked to deny the loan whereas others believed that the project was important for Peru's energy independence and thus the IDB should be asked to approve the loan but subject to a number of conditions. The fact

that both Peruvian and US civil society organisations were able to agree on this second option (approval subject to conditions) and spell out a set of concerns and conditions which satisfied all their constituents and that all could subscribe to was a key factor in their ability to influence the final decision. A second and related factor was the capacity of environmental and indigenous rights organisations in Peru and mainstream and radical organisations in the US to reconcile their differences and create an effective alliance. In this process the previous work of a core group of Peruvian civil society organisations was important since the existence of a broad coalition in Peru prompted the formation of a similar coalition in the US. A third factor was the working relationship developed between the NGO coalition in Peru and the indigenous representative organisations which allowed the voice of those affected by the project to be heard in coordination with, and not subordinate to, the concerns of the NGOs. A fourth factor was the effective and coordinated lobbying of US Government and IDB representatives both in Peru, during consultation and fact-finding visits, and in the US, through direct meetings and pressures on the US Congress. This lobbying was effective largely because, through their contacts with the indigenous organisations, they were able to supply reliable and timely information about what was happening in an area of difficult access and because their long-term involvement with the project enabled them to understand, comment on and make proposals about the many complex issues surrounding it. A fifth factor was the effective media work by a few individuals from civil society organisations in Peru combined with timely and influential articles in the media in the U.S. Finally, at a crucial moment financial resources were provided to enable key individuals and institutions in Peru to take time from their regular commitments to dedicate themselves to the Camisea campaign, especially in its final weeks.

## **Monitoring and Policy Implementation**

The analysis of the key factors influencing the outcomes of the five campaigns has already indicated that “victory” in the form of a favorable decision or the satisfactory resolution of a conflict can quickly turn into “defeat” in the process of decision implementation or form the prelude to a future conflict if one or more of the actors does not accept the outcome as definitive. Campaign victories may only be milestones along the road to the achievement of greater objectives or more lasting and permanent changes and to pass from one campaign target to another without ensuring the consolidation of the gains already made may lead to the winning of a series of battles only to lose the war. Thus, in addition to examining the outcomes of the campaigns it is necessary to examine the longer term consequences.

In the **Tambogrande** case a particular mining project was stopped but for “technical” and “formal” reasons, rather than after official judgment had been passed on the acceptability or unacceptability of the environmental and social impacts, leaving the door open for another company to present a similar proposal at a future date. Furthermore, the fact that the local referendum was not legally binding meant that the decision had not been formally in response to local public opinion. Thus, the MINEM could continue to deny the right of communities to influence its decisions regarding future mining projects and avoid any environmental concerns about the Tambogrande project being employed as precedents in decisions about the EIAs of future projects.

As a result, it is not surprising that in the same region another proposed mining project is currently under discussion, with questions being raised about its possible environmental impacts and a referendum having been organised by the communities that believe they will be affected (and with a similar, overwhelming vote against mining). The communities involved have formed a Front for the Sustainable Development of the Northern Frontier of Peru; three of them (Carmen de la Frontera, Pacaipampa and Ayabaca) organised a referendum similar to that held in Tambogrande; the Red Muqui, a coalition of environmental and human rights NGOs, many linked to the Catholic Church, is lending legal, professional and technical support; the U.K. based Peru Support Group (2007) has issued a report critical of the project; the company is planning to present its EIA towards the end of 2007 or in early 2008; the Ministry of Energy and Mines and the National Elections Board questioned

the legality of the referendum and declared its results to be nonbinding; the government has signed a tax stability agreement with the company; and the company announced an offer of US\$40 million to each of two communities in a series of disbursements over 25 years subject to their continued approval and support for the mining project. Thus, a very similar conflict is being waged in the same region around a different but similar project with many of the same actors and many of the same issues, raising the question as to what really was achieved by the decision on Tambogrande.

This seems to be an excellent example of a situation where the actors in a conflict resolved the situation through the imposition of the will of one set of actors over the other but without any change in the basic positions of either, setting the scene for a repeat battle. The issue of “social license” versus “free, prior and informed consent” is still being discussed with some still arguing that the latter implies the right to veto and others that it only implies the right to be informed. Between these two extremes agreement has not been reached on the degree to which local communities should be allowed to influence decisions concerning proposed mining projects or the degree to which the Ministry should take those concerns into account in its decisions. The mechanisms for carrying out such a consultation process around the EIA approval process have not been improved since the Tambogrande case was decided and are widely believed to be deficient, including by the World Bank (Poveda 2006), the Peruvian ombudsman (Defensoría del Pueblo 2007) and another recently published study of the issue (Alayza 2007). Thus, the failure to achieve a *policy* change as a result of the Tambogrande campaign has condemned all parties to repeat the conflict in another very similar context.

Although the analysis of the **Tintaya** case has focused principally on the negotiations between BHP Billiton and the five indigenous communities bordering on its mine there were in fact two negotiation processes with contrasting outcomes. Despite the fears and reservations expressed by some, at the time of writing the outcome of the five-community Dialogue Table still seems to have been a positive one for both sides, the supposed “holy grail” of all negotiation processes. An evaluation carried out by the Dialogue Table with ample representation of all parties in early 2007 concluded that the agreement was being implemented in its different aspects, though not evenly in all communities and with the fulfillment of some commitments still pending. Nevertheless,

it was still considered to have been a good agreement and one that was being implemented in a satisfactory manner.

The durability of the agreement was also demonstrated publicly at two different moments. When the Framework Agreement (between the mine, the provincial municipality and a large number of rural and urban interests in the province) exploded in mid 2005, many expected that this would lead to the end of the Dialogue Table and the collapse of the agreement signed between the company and the five neighboring communities at the end of the previous year. However, this did not occur: whereas CORECAMI-Cusco and the communities expressed their understanding and support for the provincial organisations in their rejection of the Framework Agreement they also reaffirmed the validity of their own agreement and their commitment to it.

When BHP Billiton decided to sell the Tintaya mine in 2006 it was feared that the agreement with the communities would be seen as a liability and that the future buyer would be unwilling or reluctant to honor it. However, quite the opposite occurred: BHP Billiton reaffirmed its support for the agreement, informed the Dialogue Table and the communities about the sale process and presented the agreement to prospective buyers as an asset which demonstrated the company's good relations with the surrounding communities. For its part, the purchaser, Xstrata, publicly affirmed its willingness to honor the agreement and continue its implementation, as well as its belief that this was one of the mine's assets and something that would help the company in its development of a major copper mining project (Las Bambas) in the neighboring Apurímac department.

The relations between any mine and the surrounding communities represent a continuous and ongoing process and any agreement can unravel at any time if the implementation of the agreement is defective or if new issues arise and are not appropriately addressed. This could happen with the agreement between the company and the five communities in the future, as demonstrated by the outcome of the Framework Agreement which was signed in September 2003 only to collapse less than two years later. Thus, the outcome of the province-wide negotiation process seems to have been successful only in the very short run and at the time of writing the jury was out on its success in the medium and long terms. In this case, an agreement which seemed to be satisfactory to all parties at the time of signing proved to have

limitations when it was being implemented, had not developed during the negotiation process an atmosphere of trust that would enable the participants to raise and resolve issues in a timely and functional manner, and had not incorporated adequate mechanisms for monitoring the compliance of the parties with the agreement. The Framework Agreement was also more vulnerable to changes in the external environment, both because of the number and variety of the participants and the involvement of the state through the provincial authorities<sup>12</sup>.

A comparison of these two agreements leads to the conclusion that continuous monitoring after an agreement has been reached will contribute to holding all parties responsible for its implementation and provide the mechanisms for agreed adjustments if problems with implementation are encountered. The Dialogue Table contained such mechanisms and seems to have been successful. Although the framework agreement included MINEM and Oxfam as “guarantors” they played no active role in monitoring and implementation of the agreement although, when the latter faltered, leading to an invasion of the mine, they did play a crucial role in getting negotiations under way again. Nevertheless, the new agreement does not seem to have incorporated improved monitoring mechanisms, suggesting that problems may arise again in the future.

In the **Yanacocha** case, initial indications that the company would change its policies and practices towards the community subsequently proved to be unfounded so that tensions continued as the company sought to expand its area of operations and found opposition and resistance in the communities. Immediately after the conflict, the Cajamarca municipality was charged with the organisation of yet another dialogue table but, despite having organised a forum to capture the experiences of other processes (such as Tintaya) and receive the suggestions of all parties, the mayor delegated the responsibility for creating the table to a council member so that he could devote his time and energies to his re-election campaign and an effective dialogue process was never established. Some of the key “modernisers” either left Newmont, or were assigned other responsibilities and some of the key “hard liners” kept their positions in Yanacocha. The fact that lessons had not been learned and the necessary changes made in the company was illustrated by an incident in the second half of 2006 when it was discovered that the company responsible for the mine’s security was involved in a surveillance and harassment operation aimed at Father



Arana and his NGO GRUFIDES. Although Yanacocha denied any involvement few believed that any other person or organisation would have the motive or the resources for such an operation and the legal investigation of this operation was quietly shelved.

Although the company has announced projections of reduced levels of gold production because of the difficulties in expanding its operations it has neither renounced its intention to expand (including onto Cerro Quilish) nor has it noticeably modified its policies and practices. For their part, despite the election of a new mayor and regional government, civil society organisations in the region remain divided and suspicious of one another and of the government and company. All three attempts at establishing dialogue processes have collapsed. The national government has established a conflict prevention and resolution unit in the Prime Minister's office and the Prime Minister himself has had to intervene to defuse and mediate conflicts between Yanacocha and its surrounding communities. Thus, once again, a victory which did not lead to changes in the policies and practices of key actors seems to have resolved one problem only to create or maintain the conditions for future confrontations.

As in the other cases, however, the extent to which the Ministry's decision in the **La Oroya** case could be considered a favorable outcome for MOSAO and its allies will depend upon the degree to which the decision is implemented. One of the issues in the campaign leading up to the decision was the failure of the company to implement the agreement signed in 1997 and the failure of the Ministry to monitor and enforce it. While this issue has been partially addressed by the reporting, monitoring and supervision mechanisms included in the agreement to extend the period for the implementation of the environmental management plan, past behavior and subsequent tussles between the company, government agencies (especially the National Environmental Council) and MOSAO over the design and implementation of a public health warning system, as required by the Constitutional Tribunal's directive to take measures to protect the right to a healthy environment in La Oroya, suggest that fundamental changes have not occurred in the company's policies and practices.

For its part, MINEM has been reluctant to share information about the degree of compliance by the company with the requirements of the new agreement. Furthermore, it publicly supported the company's claims to be complying with air

quality emission standards, which lead the NGO LABOR to issue a report, employing the information supplied to MINEM by the company, which demonstrated the company's failure to meet key standards (Abanto 2007 and Congreso de la República 2007). Nevertheless, in what is seen by some as a possible change in government policy towards Doe Run, OSINERGMIN, the Organisation for Supervising Energy and Mining Investments, fined Doe Run for five environmental infringements, four of them classified as "serious", detected in January 2007 and declared its intention to open an office in La Oroya to supervise Doe Run's compliance with its PAMA obligations.

The National Environmental Council (CONAM), for its part, has worked with civil society organisations and the recently elected municipal council to develop and implement an early warning system against air pollution, despite active opposition from the company and the lack of enthusiasm shown by the Ministry of Health. These actions have been reinforced by a ruling from the Inter American Human Rights Tribunal that the Government of Peru take measures to protect the health of the population of La Oroya from the impacts of contamination by the metallurgical complex. Both the recently elected regional and local governments have been much more critical of Doe Run and are much more attentive to the views and concerns of MOSAO and its allies and the Junín Regional Government has also announced that it will assign a person to work full-time on the supervision of Doe Run's operations in La Oroya in view of the fact that the company has failed to meet the air pollution standards agreed to under the PAMA extension. Thus, although Doe Run seems to have reconstructed its alliance with MINEM and continues to have a strong influence over the Ministry of Health, other sectors of the state seem to be taking a more independent stance.

Within civil society MOSAO has felt free to take more public stands, especially since it is now being consulted by the municipality and CONAM. In recent months there have been strikes by the national mining unions over labor conditions in the mines, including the unions in La Oroya, previously closely allied with the company, which have become more independent and critical, not only on labor issues but also those involving health and the environment. Despite losing some of its key members (two of whom left to become advisors to a congresswoman and another was reassigned to the U.S.), the Technical Table has continued to support MOSAO and, in coordination with the local Catholic bishop now head of the Peruvian Bishops' Social Action

Commission (CEAS), organised a visit by the bishop, the president of the National Evangelical Council of Peru and a representative of the Jewish community to the U.S. in an attempt to meet with Ira Leon Rennert, the sole owner of the Renco Group. Although unsuccessful in obtaining a meeting with Rennert, who is Chair of an Orthodox synagogue in New York and a major contributor to Jewish causes and supporter of the State of Israel, the trip generated considerable publicity, placed the company under public pressure and raised questions about the ethics of the company's operations and policies. More recently, when the Casapalca mining company was expelled from the National Mining Society for violating its code of conduct it was revealed that Doe Run was also being investigated. Thus, a range of persons and institutions are closely monitoring the rather reluctant implementation by both the company and the Ministry of the commitments agreed to under the revised environmental management plan, raising the possibility that this decision may eventually result in the institutionalisation of changes in at least some government policies and practices.

The coordinated effort to influence the IDB decision in the **Camisea** case and the surprising outcome were impressive, but the follow-up by the civil societies in both countries in the monitoring and supervision of the implementation of the decision and the compliance with the conditions was weak. It seemed that the organisations and individuals involved had exhausted themselves with the campaign around the decision and had no energy or resources for a sustained follow-up, allowing IDB officials to collude with representatives from the government and the companies in order to ensure minimal compliance. While a core group of NGOs in Peru continued to be concerned and made sporadic efforts to monitor the implementation of the decision, they became involved with IDB officials in a drawn-out series of inconclusive meetings about the design of a possible independent monitoring system without having achieved any tangible outcomes two years later<sup>13</sup>. In the meantime, the pipelines were being constructed at full speed and in a style that respected neither the indigenous nor the environment, with a sequel in the form of six pipeline spills within the first two years after their completion. This experience indicated that the monitoring of compliance with a complex decision involving a large energy project, the IDB, the Government of Peru and a consortium of international companies could not be effectively undertaken "after hours" by members of a small group of modestly funded

institutions. Thus, towards the end of 2005 the group was reorganised, renamed as Camisea Community Action and received additional resources.

In mid 2006 a highly critical report on the pipeline construction by E-Tech International timed to coincide with an IDB consultancy on the Camisea project and fortuitously coinciding with yet another pipeline spill galvanized public opinion and grabbed media attention both in the U.S. and Peru. At the same time, it was becoming clear that the newly elected government in Peru was planning to offer concessions to oil and gas companies for about 70% of the country's share of the Amazon basin. This meant that the Camisea project with its virtues and defects would potentially provide a model for future oil and gas projects, leading civil society organisations in both countries to increase their efforts to monitor the project. Pressure on the government, companies and IDB increased through letters, lobbying and attendance at IDB consultancy meetings. An informal alliance was formed with the engineers' professional society in Peru which was concerned about the project's implications for the country's energy future of government plans to export part of the gas production and the consortium's weak efforts to promote domestic consumption of gas. As bids were called, environmental and indigenous organisations combined forces to inform potential bidders of those concessions that overlapped with natural protected areas and indigenous territories or areas where indigenous peoples in voluntary isolation were known to exist. As a result, some companies withdrew their bids and others announced that they would respect environmental and indigenous reserves and the MINEM was obliged to make some modifications in the face of a highly critical report by the country's ombudsman.

Once again, the Camisea experience demonstrates that victories achieved through external pressure can be pyrrhic if they are not accompanied by a genuine "change of heart" exemplified by changes in policies and practices. The conditions associated with the IDB loan approval only applied to the Camisea project and were imposed by the U.S. Government on the other members of the IDB Board of Directors and through them on the Peruvian government and company consortia. In these circumstances, it was to be expected that compliance would be unenthusiastic and passive resistance employed unless effective and powerful monitoring mechanisms were in place. Unfortunately, the "enforcer" in this case was the IDB, whose officials were more concerned about establishing comfortable relations with their colleagues in the

Peruvian government and the companies than zealously applying the loan conditions. For their part, the civil society organisations were weak, lacked influence in the IDB and were unwilling or unable to maintain the active attention and support of the U.S. Government during the implementation phase. The lack of enduring policy changes meant that when new oil and gas blocks were offered in concession government policies had not changed and there was no guarantee that the improvements in the management of the Camisea project imposed by the IDB decision would be institutionalized and extended to subsequent projects.

## **Global and Local Linkages and Tensions<sup>14</sup>**

The fact that Oxfam provided financial support to some of the participants in all five cases meant that there was some degree of involvement at the international as well as the national and local levels. However, the nature and degree of such involvement and the associated tensions varied from case to case. The involvement of multiple actors at different spatial levels and with, at times, different agendas and priorities generated the conditions for tension and occasional conflict, even within the same “family” of organisations, raising issues about coordination, intercultural communication and alliance building and maintenance.

**Tambogrande** is a town in an area of the country where Oxfam Great Britain has had a long history of involvement through its support for a Jesuit-run social research and development institute, the Piura bishop’s human rights and social development agency and the association of organic coffee growers, amongst others. For its part, Oxfam America had no local partners in the region but through its extractives program supported the national organisation, CONACAMI, to which the Tambogrande Defense Front was affiliated and most of the national NGOs involved in the Technical Table. This created a potential for both conflict and cooperation between the two Oxfams.

Oxfam America did not have information about Oxfam Great Britain’s programs and partners in the region and there was no mechanism within Oxfam International at the time for sharing such information, though it could have been created. Likewise, Oxfam Great Britain did not have information about Oxfam America’s support from Lima for the extractives program in the area. This meant that Oxfam Great Britain supported the TDF and the Technical Table through its local partners while Oxfam America supported both primarily through its Lima-based partners but neither did Oxfam Great Britain share its local-based information and vision with Oxfam America nor the latter its national information and vision with the former. There was a feeling in Oxfam Great Britain that Oxfam America was intervening in a part of the country where they had a long-established presence and there was a feeling in Oxfam America that Oxfam Great Britain was becoming involved in extractives issues without recognizing Oxfam America’s leadership within Oxfam International regional agreements. However, some coordination and information-sharing occurred around the traditional grant making activities when the two Oxfams found that they were both funding the visit of an expert

on water from the U.S. and the holding of a local referendum on the proposed mining project.

The problems posed by such a lack of coordination were revealed by two episodes. The mining company was inexperienced in dealing with community concerns and the project approval mechanisms designed by the Peruvian government were very far short of an adequate consultation process. Thus, there were moments of severe conflict and attempted dialogue between the company and the community. The national Ombudsman's office and the local Catholic bishop attempted to mediate the conflicts without success. A consultant hired by the company explored the possibility that a committee comprising the Church, the Ombudsman and Oxfam might be able to oversee a negotiation process. However, in these discussions "Oxfam" was speaking with two voices that were not always well coordinated or even apparent to their interlocutors. Thus, at one stage the Minister of Energy and Mines publicly announced, on the basis of private conversations with Oxfam Great Britain in Piura, that Oxfam had agreed to sponsor negotiations when Oxfam America, which was responsible for the extractives program, was uninformed. This led to coordination meetings between the two Oxfams and with the TDF and Technical Table in order to reach agreement on a common position and to meetings with the Minister of Energy and Mines to clarify Oxfam's position and role. This insufficient coordination and information sharing generated confusion about the nature of "Oxfam" and "the Oxfams" and their roles and positioning.

The second episode involved an announcement published by Oxfam Great Britain in the local newspaper in Piura on the day of the Tambogrande referendum (April 14, 2002). In an attempt to be transparent and reaffirm its support for a democratic process the advertisement was titled "The Tambogrande Referendum: Why/Because Oxfam Supports It". Unfortunately, the Spanish word "porque" can mean "because" if there is no accent on the letter "e" but "why" if the letter "e" bears an accent and when Spanish is written with capital letters accents are not usually used. Thus, the title could have been read as an explanation as to why Oxfam was supporting the holding of the referendum (which was the intention) or as a statement that the referendum was being held basically due to Oxfam's support. The results of the referendum, indicating overwhelming community support for a future based on agriculture rather than mining, rocked the mining industry and within days they began a media

campaign to question the results and legitimacy of the referendum, claiming that the community had been manipulated by “environmental” organisations, such as Oxfam, and questioning Oxfam’s role, motives and presence in the country.

This lack of coordination between two Oxfams illustrated the “teething problems” common in the construction of a new alliance but also generated some confusion amongst partners and allies and generated opportunities for those resisting the changes proposed by the advocacy campaign. The industry and government media campaign against Oxfam may also have been an unintended consequence of Oxfam America’s first email campaign which was directed at the company and the Ministry, urging them to respect the results of the referendum.

The Tintaya case, however, provides a counter example because cooperation and information sharing between Oxfam America and Oxfam Australia enabled the latter’s mining ombudsman to become involved in the case as a crucial factor in getting negotiations under way and in ensuring the commitment of all parties to the process. The continued presence of Oxfam America in the process strengthened Oxfam Australia’s supervisory and monitoring role just as the existence of the latter gave the former greater leverage in the discussions.

The Yanacocha case provides a number of examples of tensions between advocacy partners. By 2004 CONACAMI and its affiliates had managed to place the impacts of mining on local, mainly peasant, communities on the national political agenda in Peru. At the beginning of the year Oxfam America and Earth/Works had launched the No Dirty Gold campaign whose organisers expected Oxfam’s partners in Peru to be actively involved. Although regional Oxfam staff and partners were critical of the campaign document they agreed to become involved in the situation in Cajamarca, despite the tense relations between the local community and the mine and the notorious divisions between civil society institutions in the region. This situation was further complicated by the fact that CONACAMI’s affiliate there had been bought off by the company and was publicly supportive of it and critical towards CONACAMI. In other words, they felt pressured to become involved despite the fact that the conditions did not seem propitious for creating a solid alliance between local representative organisations and a coalition of support NGOs which was the basic strategy for advocacy around other mining conflicts.



Early in the year Oxfam America board members had visited the mine and at the end of their visit had warned the company of the high level of distrust in the community towards it and had recommended that the best way to begin creating trust would be to publicly and voluntarily renounce its claim to exploit the gold of Cerro Quilish. In the following months Oxfam America participated as advisor to a group of ethical investors in the US who were in dialogue with Newmont's management about their concerns with the company's activities, including the situation in Peru, and this had involved Oxfam in brokering the relationship between civil society organisations in Cajamarca, especially Fr. Arana and GRUFIDES, the most vocal and most respected critic of the mine, the leadership of the No Dirty Gold campaign, the ethical investors and company management in Denver. This represented an alternative communications channel to that within the company between its Denver headquarters and its mining operations in Cajamarca and enabled the investors to exercise influence on company management in general and in defense of partners, thus demonstrating the "value added" by an international NGO with alliances in the region and a presence in the North.

However, at the height of the complex and conflictual situation generated by the community mobilisation against Yanacocha's encroachment on Cerro Quilish, when the media were demanding to know Oxfam's position and role and making public accusations of its support for violence and even terrorism, the Oxfams with programs in Peru began to feel threatened and were uncertain what actions Oxfam America (and its partners) were taking, and the implications for the shared "Oxfam" brand. This led to a questioning of Oxfam America's leadership and role and to a scramble involving local and headquarters staff of the various Oxfams in the preparation of a public statement of Oxfam's position.

This situation also reflected a crisis in Oxfam's understanding of its role in the South. Up to this point the practice had been for Oxfam to provide occasional financial support to partners for advocacy activities but the understanding was that Oxfam would not play a public role, which was reserved for staff in their home countries that were active in a number of advocacy campaigns there. However, the globalisation of campaigning, as a result of Oxfam's own decision to become a global campaigning force, and the globalisation of communications so that activities of Oxfam in the North

were reported in the media in the South, and that web pages intended for supporters and donors in the North were also being read by partners, allies and opponents in the South, meant that the comfortable distinction between public activism in the North and anonymous support in the South could no longer be maintained.

This particular case was made more complicated by the fact that Oxfam's presence in the media was the work of its opponents who portrayed it in an extremely unfavorable light. Rather than contesting this with its own media campaign, for a considerable period Oxfam retained the fiction that it should not play a public role in the South and thus did not need media resources in the region and should not respond to the attacks. Even worse, since these attacks were in response to the work of one of the Oxfams about whose activities the other Oxfams were not fully informed, they began to give credence to the attacks and demand that Oxfam America publicly clarify its role, especially vis-à-vis its partners, and reject any support for violence. This was because the media campaign attacked Oxfam for supporting CONACAMI which, in turn, was accused of promoting violence<sup>15</sup>.

However, when a second public declaration of Oxfam's position was made, this generated concern amongst its partners and allies, especially CONACAMI, who suspected that this might be a signal that Oxfam would withdraw its support for advocacy around mining in general and for CONACAMI in particular. This situation demanded that Oxfam staff spend considerable time and energy reassuring its partners and allies, but also made them aware that advocacy in a hostile environment required a pact of mutual responsibility between grantor and grantee because the statements or actions of one could jeopardise the other. This also meant that other funders of CONACAMI that had not been targeted became more aware of their potential vulnerability and of the need for all funders to coordinate more closely with each other and with their partners.

The difficulties between Oxfam America and the other Oxfams resulted in three important changes. First, there was an acceptance of the fact that global campaigning meant that there would be targets in the South as well as the North, and the need for a media capacity and presence in both spheres of action, which represented a strategic change in Oxfam's definition of its role and allocation of its resources. Second, after debating whether to close down the extractives campaign, or strengthen

it, the Oxfams opted for the latter and Oxfam Great Britain and Oxfam Novib decided to commit financial and human resources to the campaign. Finally, the difficulties between Oxfam and its strategic partner resulted in a redefinition of the relationship from one of funder to grantee to one between allies in a common campaign which required close coordination of their positions on issues, exchange of information about plans and activities and, in general, the generation of a sense of mutual dependence and responsibility.

After Mons. Barreto was appointed archbishop of Huancayo, whose jurisdiction included the town of **La Oroya**, about the time of the events surrounding Cerro Quilish, he gradually became aware that one of the major problems within his archdiocese were the impacts on public health generated by the Doe Run metallurgical complex and the social conflicts created by the company's actions. When he decided that the Catholic Church should become involved he devised a strategy to broaden community involvement to include the whole Mantaro river valley and the city of Huancayo since they were also impacted by the effect of the metallurgical complex (and nearby mines) on the quality of the water in the river. He also believed that by widening the constituency of those concerned and involved he would weaken the company's hammer lock on the town of La Oroya. However, when seeking allies he was very wary of becoming associated with MOSAO and especially the Mesa Técnica because of their reputation in the media and he was particularly concerned that the Church not be associated with Oxfam which seemed to be a dangerously radical organisation. Fortunately, the involvement in the Mesa Técnica of an NGO linked to the Presbyterian Church and support received by the bishop from Oxfam America during a visit to Washington, D.C., when he also had the chance to meet Oxfam America's regional director, led him to revise his opinions. Nevertheless, Oxfam America's reputation in the media, which turned it into a hero for some and a villain for others, led him to avoid any public association with Oxfam during the campaign to influence the MINEM's decision regarding the request to extend the period for the environment management plan, and enabled the Church to assume a public posture as a new, independent and concerned voice. However, this situation also led MOSAO and the Mesa Técnica to ask Oxfam to avoid any public advocacy in the North since they feared this might discredit their own actions and those of the Church.

There were also a number of tensions within the alliances around the Camisea project. The U.S. based organisations fell into two groups. The big four environmental organisations – Conservation International, The Nature Conservancy, The World Wildlife Fund for Nature and The Smithsonian Institution – initially opposed the project and advocated for the multilateral banks to deny funding. They also were tempted to confine their advocacy to behind-the-scenes lobbying in the hope that they could strike a deal and have access to environmental funding to mitigate the project's impacts. A group of seven smaller U.S. environmental and indigenous rights organisations were also initially opposed to the project but took a more combative and public stand. The “big four” considered the other seven to be too radical and unwilling to negotiate and compromise and the latter considered the former to be too conservative and too willing to compromise. However, when both groups discovered that their allies in Peru had formed a coalition and hammered out a common platform they felt obliged to modify their stand on the project and work together, despite their mutual distrust and differences. Nevertheless, throughout the campaign there were always differences in preferences and style and the big four were more effective at direct negotiations and internal lobbying and the “seven dwarfs” made more effective use of the media and public protests.

To some extent the differences between the two U.S. based groups also reflected the differences between environmental and indigenous rights orientations since the four large organisations were environmental and the seven smaller ones a mix with a greater orientation to rights issues, although the environmental organisations were also sensitive to indigenous concerns and the indigenous rights organisations concerned about the environment. Nevertheless, these differences in priority and emphasis influenced their agendas and generated tensions at different points during the campaign. In Peru similar tensions existed but were more marked between the NGOs in general and the environmental NGOs in particular in their relations with the indigenous organisations.

The civil society coalition in Peru was dominated by NGOs but from the beginning the “grupo de selva” had sought to include representatives of indigenous organisations in its meetings and incorporate their concerns into their advocacy agenda. However, of the three organisations representing indigenous organisations in the Urubamba river valley, only one, COMARU, which was also the largest and most representative,

demonstrated the capacity and interest to participate. Of the other two, CECONAMA was affiliated to a national indigenous organisation which was influenced by evangelical religious organisations and tended to seek a clientelistic accommodation with the companies and the government and FECONAYY, the smallest, had limited capacity.

However, even COMARU had difficulties in participating effectively. The Lower Urubamba river valley is remote and difficult to access and is an area where travel is expensive. Even travel from the town of Quillabamba, where COMARU had its office, was lengthy and expensive, involving a day's travel to the city of Cusco and either a flight or 36 hours bus ride to Lima. Thus, attendance by the COMARU leadership at meetings was infrequent and email and phone communications difficult. COMARU had only recently become affiliated with AIDESEP, the largest national organisation representing Amazonian indigenous peoples, and, in fact, the presidents of AIDESEP and COMARU first met at a meeting of the "grupo de selva". AIDESEP had its own agenda which did not always coincide with the agenda and priorities of COMARU, limiting its ability to represent COMARU's interests at meetings, though this improved over time. There were even limitations in COMARU's ability to represent the interests of its largely Machiguenga communities, since these did not have a strong collective tradition and the active COMARU leadership was often confined to one or two people<sup>16</sup>.

The communities and their members tended to have ambivalent attitudes towards the project and the companies because they hoped for occasional employment and income as well as compensation from the companies at the same time that they were concerned about its impacts on their culture and the environment. Furthermore, there is a historic distrust of non indigenous people which led AIDESEP in particular to define its own agenda and make its own pronouncements and run a separate but related campaign rather than fully integrating with the campaign of the wider coalition. While this at times generated frustration and exasperation amongst the NGOs, in general they were understanding of the indigenous organisations' stance and always attempted to incorporate their concerns. For their part, the indigenous organisations also felt an understandable resentment at the resources the NGOs seemed to command, which they felt should really have been channeled directly to them, although AIDESEP received funding from a number of sources and COMARU

received regular grants from Oxfam. Finally, there were occasions when the COMARU leadership felt that their concerns and needs were being subordinated to the national and international agendas of the NGOs. However, given the history of conflicts and distrust between the environmental movement and indigenous peoples detailed by Chapin (2004), in practice the indigenous and non indigenous organisations worked together reasonably effectively.

## Conclusions

Although each of the cases analysed had its own particular characteristics it is possible to make some generalisations about the key factors that affected the outcomes. One that comes out strongly is the importance of an organisation representing those affected by the extractives activities and that can speak in their name. The representative organisations considered varied in their effectiveness and in the extent to which they were united or represented all affected constituents. However, to the extent that they were effective and inclusive, as was the case in Tambogrande, the more likely they were to be successful in their campaign. Linked to this factor was the importance of these representative organisations being supported and advised by a coalition of NGOs with professional and technical expertise. The phenomenon of the *Mesa Técnica* might even be considered to have been a Peruvian social invention.

The development of even wider alliances was also important. In the case of the Camisea campaign a coalition of over twenty Peruvian civil society organisations formed an alliance with a dozen environmental and indigenous rights organisations in the US in order to place pressure on IDB and US Government officials; in the case of La Oroya MOSAO was able to form an alliance with community groups in Saint Louis, Missouri, and Oxfam and the Presbyterian Church in the US and with an influential Catholic bishop in Peru; and in the case of Tintaya the alliance with Oxfam in the US and in Australia played a fundamental role. Thus, forming, maintaining and making effective use of alliances - whether local, national or international – enabled local communities to access resources, information, skills and influence that, in some instances, enabled them to do end runs around their competitors for influence.

Almost as important as alliances was the capacity to carry out research, document abuses and problems, disseminate information and develop alternative proposals and solutions. In most cases, communities and their allies had to demonstrate with convincing evidence that there were problems and that extractive industries operations were the source of those problems because the initial reactions of both government and companies was to deny the existence of such problems, suggest that the protesters had other, usually political, motives and attribute the problems to causes other than the companies' activities. Convincing evidence and documentation

were also needed to attract potential allies and influence policy and decision makers. This information and analysis also laid the ground work for preparing alternative proposals and solutions.

Lobbying was especially important when attempting to influence public officials and policy makers who were the key targets in four of the five cases and successful lobbying depended on the credibility of the lobbyists in speaking on behalf of those affected and as reliable sources of information and proposals. Thus, apart from the skills particular to lobbying itself it was important that the lobbyists represented coalitions of representative organisations and could demonstrate technical and professional expertise.

Public officials can be influenced through direct lobbying but they are also attentive to public opinion and over the period during which these cases took place the advocacy groups gradually gained access to the media and became increasingly skilled in using them and, through them, influencing public opinion in general. In two cases, Tambogrande and La Oroya, they were able to obtain the resources needed to hire professional advice and run successful media campaigns.

Thus, in summary, in addition to factors that were particular to each case, four stand out as having been important in all or nearly all advocacy campaigns: alliances, especially between NGOs and representative organisations, research and documentation, lobbying and media and public opinion.

These cases seem to indicate that it is essential to distinguish between a decision that represents the resolution of an immediate conflict or the solution to a specific problem from one that represents a permanent change in policies and practices. At the time such decisions are made it may not always be clear whether they represent permanent changes or escapes from a pressing predicament. This is an important distinction if the objective of the advocacy campaign is to achieve lasting solutions through the use of exemplary cases rather than resolve conflicts one at a time, especially in a situation like Peru where the State, in alliance with the mining industry, is opposed to the policy changes being advocated, as Revesz and Diez (2006: 53) argue:



... the State tries to “arrange matters” case by case, without trying to mobilize the financial and human resources essential to implement the new norms, mechanisms and institutions that would regulate the relations between the mining company and its neighbors and guarantee the rights of the affected populations<sup>17</sup>.

Post “victory” monitoring is essential to ensure that commitments agreed to are carried out and that decisions are fully implemented. Even where a decision has been made or an agreement entered into without any intention of applying the experience to other similar cases, monitoring by civil society and evaluation of the results can contribute to drawing lessons and developing evidence and information in support of lasting policy changes. In addition, the mere fact of implementing decisions that are the result of advocacy and conflict may lead to the acceptance and institutionalisation of new practices and behaviors that represent *de facto* policy changes.

For this to occur, decisions and agreements need to include mechanisms for independent monitoring and evaluation or, in their absence, external advocates need to devote resources and devise strategies for such external monitoring and evaluation even in the face of resistance. Unfortunately, this task is often seen as boring and uninteresting in comparison with the adrenalin rushes associated with campaigning during a conflict or before a decision. Nevertheless, the experiences analysed in these cases suggest that where such follow-up is lacking or ineffective policy advocates will be forced to repeat their campaigns under new guises and under changed circumstances.

In an advocacy campaign tensions arise not only between organisations at the local, national and international levels but also between organisations at each of these levels and within organisations themselves.

People at the local level involved in specific conflicts tended to focus their efforts on their particular struggle and expect their allies to do likewise, whereas organisations at the national level often had to divide their time and resources between several conflicts and campaigns and were concerned about the impacts of particular cases on broader issues and policies and these concerns tended to govern their priorities rather than the immediate needs of each case. This sometimes generated the feeling

amongst local people that they were being “used” by their allies to further an agenda that they did not always understand or even endorse. This feeling was particularly strong in COMARU. Furthermore, there were differences in emphasis and priorities between the U.S. based NGOs concerned to influence the policies of the multilateral development banks and the Peruvian NGOs who were concerned with the impacts of one particular project and saw the IDB’s policies as a secondary concern. Likewise, Oxfam’s regional staff and partners sometimes felt that the Yanacocha conflict was being used to further the agenda of the No Dirty Gold campaign without being sensitive to the concerns and vulnerabilities of partners and civil society in Cajamarca.

The extractives campaign in Peru coincided with the construction of Oxfam International and the transformation of Oxfam into a global campaigning force. Oxfam did not anticipate the changes in ways of operating and the allocation of resources that such changes would imply, generating strains and conflicts between the Oxfams which also affected their ability to effectively support their partners and allies.

On the whole, however, the global-national-local alliances that characterized all the cases studied empowered local actors in the face of a coalition between the national government and transnational companies and enabled them to raise issues and campaign in ways that would not otherwise have been possible. As a result, this process involved important learning and capacity building for all concerned.

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<sup>2</sup> These were LABOR, ECO, SPDA (Peruvian Environmental Law Society), COOPERACCION and CEPES (Peruvian Centre for Social Studies).

<sup>3</sup> This section is based in part on the corresponding section in Scurrah (2007a, pp 3-7).

<sup>4</sup> Further details about this conflict can be found in Revesz and Diez (2006), CEAS and Diaconía (2006), Meloche (2006), Grupo de Trabajo Piura Vida y Agro (2001), Aste (2001; 2002) and Moran (2001; 2003).

<sup>5</sup> Further details about the Tintaya process can be found in De Echave (2001), De Echave et al (2005), Barton (2005) and Camacho and Lossio (2007). See also Oxfam Australia's Mining Ombudsman's Annual Reports for 2000-2001, 2001-2002, 2003, 2004 and 2005 (<http://www.oxfam.org.au/campaigns/mining>).

<sup>6</sup> Further details about the events in Cajamarca and the relations between Yanacocha and the local community may be found in Revesz and Diez (2006), Leyva and Jahncke (2002), Salas (2006), Bury (2007a; 2007b) and Bebbington et al (2007).

<sup>7</sup> For more detailed information about La Oroya and Doe Run see Aste (2005), Cederstav and Barandiarán (2002), CooperAcción (2006), Pajuelo (2005) and Canales et al (2007).

<sup>8</sup> These were of such a magnitude that the Blacksmith Institute of New York in 2006 included La Oroya in its list of the ten most polluted places on the earth (see: <http://www.blacksmithinstitute.org/>).

<sup>9</sup> For further details about the Camisea case see Caffrey (2002), Conservation International et al (2002), Banco Interamericano de Desarrollo (2002), Defensoría del Pueblo (2006), E-Tech International (2006), Maughan (2003), May et al (1999), Smith (2004), Tegel (2003), Export Import Bank (2003) and Earle and Pratt (2007).

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<sup>10</sup> However, the recent government decree declaring the San Lorenzo Valley in the Tambo Grande district “untouchable”, aimed at preventing small-scale mining, may provide some defense against any future large-scale proposal.

<sup>11</sup> For a detailed analysis and description of one of these dialogue tables, see CAO (2007a; 2007b; 2007c; 2007d).

<sup>12</sup> Although it should be noted that Xstrata recently was awarded the 2007 prize for “efforts to promote local development” by the National Mining Society precisely for its implementation of the renegotiated framework agreement.

<sup>13</sup> Consultants hired by the IDB to investigate why this process had achieved no outcome recently abandoned their task due to lack of cooperation from IDB staff.

<sup>14</sup> This section draws in part on Scurrah (2007b).

<sup>15</sup> No credible proof was ever presented in support of the claims that CONACAMI provoked or endorsed violence and, in fact, in private conversations company executives admitted that CONACAMI played a much less important role in local conflicts than what the companies and the media publicly claimed. Nevertheless, they considered it to be a useful “whipping boy”. On one occasion, Newmont’s legal advisor claimed to have evidence that Father Arana was promoting violence and that this placed Oxfam’s support for GRUFIDES in a delicate situation. However, the “evidence” he produced consisted of clippings of newspaper accounts inspired by the company itself in media that it influenced or controlled and an independent investigation commissioned by Oxfam turned up no evidence in support of such claims.

<sup>16</sup> A point well made by Earle and Pratt (2007).

<sup>17</sup> The author’s translation.