

Recommendations to the EU for the protection of human rights on matters relating to extractive activities in Latin America during the COVID-19 pandemic

The COVID-19 pandemic has unleashed a global health crisis as well as an economic and social crisis throughout the world and, in particular, in Latin America, the most unequal region in the world. The deep social gaps, with large sectors of the population living in poverty and extreme poverty, constitute a cross-cutting problem for all States in the region. The lack of quality health services, the lack of access to drinking water and sanitation, chronic malnutrition, situations of environmental pollution or the lack of access to decent housing amplify these gaps. Women are particularly impacted by these socio-ecological issues.

Despite the current emergency, extractive activities - such as oil, mining or hydroelectric power, - even though they are not essential for the optimal functioning of the country, continue and are accelerating. They put local communities at risk and provoke conflicts and tensions, report indigenous, peasant and Afro-descendant organizations and communities throughout the continent. These activities can have very serious repercussions on people's health in times of pandemics, contributing to the direct spread of the virus and/or negatively impacting their environment. Moreover, the environmental contamination inherent in most extractive projects contributes to the weakening of the immune system of local populations. Finally, water hoarding and river diversion impede necessary hygiene, such as hand washing, thus increasing their vulnerability to COVID-19. There is no possibility of exercising all the necessary democratic, social and environmental controls, nor of ensuring compliance with the right of indigenous peoples and local communities to free, prior and informed consent..

Given the serious economic crisis that is spreading, there is a risk of opting for the expansion of extractive projects, even if this involves lowering social, environmental and labour standards. This would be contrary to the European Union's commitment recently expressed in the European Green Deal. This crisis must not lead to a relaxation of standards and the expansion of mega extractive projects, but rather to a global reflection on the development model that we want.

The EU-LAT Network reminds the European Union and its Member States of their obligation to promote and strengthen human rights in their external action, as established by the Treaty of Lisbon, and calls to:

- Urge the governments of Latin America to give priority in their responses to the COVID-19 health crisis to the defence of the interests of the entire population, and specifically of their populations in a situation of vulnerability, over particular economic or political interests.

- Urge the governments of Latin America to ensure that the territorial measures adopted by communities for their self-protection are respected, and that no one is violating them during the period of their validity.
- Prevent the governments of Latin America from granting exceptions or special conditions to extractive projects in relation to health protection measures taken as a response to the CoVID-19 crisis.
- Require european companies and european investment funds, as well as their supply chains, to carry out their activities in third countries in compliance with the necessary health guarantees within the framework of the pandemic, and acting with due diligence towards the rights -to health, to participation, to information, etc.- of local communities. And to act in accordance with the precautionary principle by stopping their activities until due diligence can be guaranteed.
- Request the stop of approving new extractive projects with european capital, or activities extension of existing ones, while the indigenous, afro-descendant and/or peasant communities involved have restricted capacities to exercise their rights of consultation, opposition, allegation, etc.
- Urge Latin American governments to implement economic stimulus measures focused on the well-being of all people, especially those in vulnerable situations, rather than on rescuing large companies. These measures should be designed with a gender perspective and a differentiated approach and should guarantee respect for the fundamental rights and needs of the entire population, with special attention to indigenous peoples and rural communities.
- Ensure the protection of human rights defenders and promote their work especially in situations of rights violation that may occur under the promulgation of exceptional measures.
- Ensure that there are participation mechanisms that guarantee access to information and free, informed and culturally appropriate prior consultation of indigenous peoples, taking into account that their communities often lack adequate access to technology. Invite Latin American partner states to promote essential consultation mechanisms based on the forms of organization and governance of these peoples.
- Demand that Latin American states that benefit from EU cooperation and/or its member states increase the transparency of the processes of economic revival, environmental certification and the fight against corruption that they promote. These processes must integrate local monitoring systems to assess risks.