

LEGAL COMMISSION OF THE INTEGRATION PEOPLES  
TAWANTINSUYANA - COJPITA-

10 th PERIOD OF SESSIONS OF THE WORKING GROUP ON  
INDIGENOUS POPULATIONS IN THE U.N.O.

CONTAMINATION OF THE ENVIRONMENT AND VIOLATION OF THE  
HUMAN RIGHTS

Mme. Chairperson,

being at the end of the 20th century and at the beginning of a new one, the Century for the Indigenous Peoples, in our Quechua, Aymara, Puquina and Kollanguas peoples of Perú - South America, we see every day the children traffic, old people and women without food, because the land is being depredated and left without force due to the environmental contamination in the valleys of Tambo de Arequipa. Our indian brothers and sisters are left behind in a totally unfruitful land.

It doesn't have to call your attention, Mme. Chair, that this phenomena is daily killing human beings. The environmental contamination is contiguous to the violation of the Human Rights, for they simply cause the death of human beings in a very sophisticated way, also with the protection of certain governments that cover this up or are even directly responsible for this violation of the Human Rights and the environment.

LA COJPITA has investigated this case which is exposed in a synthesis here.

The melting plant of Ilo which belongs to the Sauther Perú Copper Corporation (SPCC) and is functioning since 1960 is causing an atmospheric contamination in the valleys of Tambo, Ensenada, Mejía, in the regions of Arequipa and José Carlos Mariátegui in Perú, which destroys the agriculture.

It is already for many years, that the smoke of the mines of Toquepala in charge of the Sauther Perú Copper Corporation, which threatens the agriculture and the survival of the indian population of the Tambo Valley is being tolerated by them.

The final process to obtain blister copper consists in eliminating the sulphur which is chemically bound to the copper in form of copper sulphur. To reach this a concentrate of the mineral is submitted to very high temperatures in the melting ovens. The sulphur is then combined with the air oxygen forming a gas complex, anhydrid sulphur,

which leaves the copper free in a free metallic consistence. This has caused many damages in the health of children like asthma.

The worst damages are caused in the agriculture. In Ilo, due to its vicinity to the melting plant the leaves of the plants are burned each time the winds change direction and bring the smoke into the valley. The consequence is a continuous drought of the region, especially of the alfalfa as food for the cattle.

In front of this deplorable situation in which the peasants have to be hungry, which pushes many labourers to leave and the loss of work for Indian women and men, what shall we do, Mme. Chair? Should we stop the melting indefinitely, export the concentrated mineral or pay the Indians for the damages they suffer from having to live without being able to grow crops, so that they live from the compensation?

Deplorably there was nothing done until now to find a solution for the atmospheric contamination caused by the smoke of Toquepala; on the contrary: confronted with the passivity of the central and regional government who play as accomplices, the rural population is being decimated by illness and starvation.

The sugar, rice, alfalfa, maize, camote, olive, etc. plantations are disappearing with extreme incidence from the valleys of Tambo and Majes. Nevertheless, there has been made a law to prevent the damages made and sanction the responsible people through a High Level Commission. Both fact sheets about the damages have been brought out and it has been talked about corrections. It has been allowed that within 6 months Sauter could be ordered to come up with a solution for the elimination of the toxic effects caused by the melting of metal in Ilo, better known as "Smoke of Toquepala".

Mme. Chair, nothing has been fulfilled, because those who are part of the High Level Commission are financed by Sauter. The Ministers of Agriculture and Mining do not have a higher level of decision. According to the valuation of November 25 1985, the damages amount was of 3 210 882,500 soles. Today these damages are astronomical.

That law had been made to find counter-effect the toxicity of the Sauter Copper plant. A legal norm, very clear and specific about taking measures and about deadlines and actions the responsible people have to accomplish: a term within 6 months in which Sauter has to eliminate the toxic smoke, financial sanctions in case of this not being fulfilled, 12 months for the High Level Commission and Sub-Commission of Ilo

to come to a solution and evaluate the damages. Nothing of this has been accomplished in more than 25 years.

According to the law mentioned before and the Ministry Resolution Nr. 320-85-K from December 6, 1985, Sauter had to pay compensations for 3 210 000 millions of nominal gold soles until 1984. This valuation, for example, includes only an agricultural campaign in the Ilo Valley.

The melting plant is working for more than 30 years now, and has been expelling toxic acids of generic contamination. The valuation of the damages in 1984 is of more than 230 million US dollars, not counting the damages caused by the second washing of ore in the river of Locumba and the water of Ito Bay in Tacna.

The High Level Commission and Sub-Commission did not come to a solution until today. The law was useless and the article nr. 119 of the Law 611 about environmental and natural resources protection has not been applied against Sauter.

Mme. Chair, this is a living reality in which the Puquina and Collagua People are victims of abandonment, indifference and aggression against their environment which means a blazing violation of the Human Rights.

Thank you, Mmme. Chairperson.

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