

Public Health Emergency in the Context of the COVID-19 Pandemic in Chile and its impact on the Rights of Original Peoples

The following pages are a translation of two chapters from a new report entitled “[Emergencia sanitaria en el contexto de la pandemia por COVID-19 en Chile y su impacto en los derechos de los pueblos originarios](#)” recently sent to UN Special Rapporteur on Indigenous Peoples, José Francisco Calí Tzay. This publication, which was produced by the following organizations: Comunidad Indígena Yagán de Bahía de Mejillones (Indigenous Community of Yagán de Bahía de Mejillones), Consejo de Pueblos Atacameños (Atacameño People’s Council), Mesa de Coordinación de Pueblos Originarios del Budi (The Coordination Table of the Original Peoples of Budi), Municipalidad de Saavedra (Municipality of Saavedra), Observatorio Ciudadano and the Plataforma Política Mapuche (Mapuche Policy Platform), covers the disproportionate and structurally aggravated impacts of the COVID-19 pandemic on Indigenous communities in Chile. The two chapters translated here relate to the actions of mining companies and the regulation thereof in the context of the pandemic. We are highlighting these specific realities as part of an ongoing collaborative effort to bring greater visibility to [mining company profiteering during the pandemic](#).

Please note, however, that sections 1-7 and 10 importantly demonstrate the vulnerability that Indigenous and Original Peoples in Chile face with respect to the virus as a result of purposeful government abandonment and exclusion, as well as the disproportionate impact that the virus is having on their communities and their livelihoods. The report includes important testimony and statistics to demonstrate this. We encourage you to read those sections in the original Spanish, if you are able.

8. Mobilizations from autonomous peoples in the North of the country: lifting sanitary barriers and voluntary quarantines in Atacameña communities.

On March 28, 2020, just a few days after the first cases of the virus were reported in the country, the Atacameño People's Council - an Indigenous governance body which unites 18 communities that live around the Atacama salt flat, in the region of Antofagasta, in Northern Chile - decided, as a way of guaranteeing the health of all its communities and families, to cut access to Route 23-CH which connects San Pedro de Atacama to the mining city of Calama. The council declared that they were forced to do so, since local authorities were not paying attention to the urgent demand to install a sanitary barrier in the sector. This action was implemented for a few days, and was supported by the Chamber of Commerce, the Irrigators Association and the residents of the San Pedro de Atacama commune.

It is important to point out that from March 18 to the present, the Atacameño People's Council announced publicly that they would close all tourist centres in the community, which are managed by the community members. They also demanded that the mining companies Soquimich (SQM) and Albermarle - the two most important lithium producers in the country - take preventative measures to minimize the flows of personnel (which can reach up to 10,000 people) since their operations take place in close proximity to surrounding communities (some of which even have mining camps in them).

At the time of sending this report, the copper and lithium companies which operate in the Atacama Salt Flat and its surroundings, have not ceased their operations which represents a serious threat of spread of COVID-19. Many of the community members of elderly people, the population at heightened risk for contracting the virus.

In the context of this lack of response from the government and in the absence of leaders in the Andean sector, some communities have established sanitary barriers which they control, along with voluntary quarantines. For example, on March 30, the Atacameñan community of Peine and the Neighbourhood Council of the population, decided to completely close-off their town. They also established barriers in distinct points as a way of controlling the entrance and exit of community members and mine workers who live in a mining camp inside the community's territory.

This last aspect represents a true threat, with respect to the circulation of mine workers, to the integrity of the families of Peine. It is important in that it highlights that labours related to large-scale mining in the Atacama Salt Flats, despite considerably reducing their production, continue to work daily in the extraction and exploitation of the waters.

It is important to highlight the organizational nature of these measures taken by the Atacameñan community of Peine, where they have developed rotating eight-hour shifts to complete these sanitary control measures over a continuous 24-hour period. They have also developed a "Closure Plan" in order to guarantee that the town has sufficient supplies. A similar measure was taken by the Atacameñan community of Machuca, who decided to close their population and establish a voluntary quarantine as a preventative measure. They emphasize tourism as a serious threat to the spread of COVID-19. In this respect, they closed all tourist centres and community spaces as a way of protecting the community, particularly those with chronic illness and the elderly.

9. Absence of measures regarding the processing of environmental assessment and public consultation of investment projects that affect the lands and waters of Indigenous peoples during the pandemic

Since the Covid-19 pandemic began, there have been calls from diverse sectors of society for the Ministry of the Environment and the Environmental Assessment Service (SEA) to suspend the deadlines for processing environmental assessment procedures for investment projects. These calls were made due to the inequity of these review processes - communities and those affected are not on equal terms with the private sector to participate in the Environmental Impact Assessment System (SEIA).

The SEA's response has been erratic, creating a context of ongoing legal uncertainty for communities affected by projects undergoing environmental assessment. The SEA has decided to suspend only some of the environmental assessment processes, those that have an ongoing public participation process or in which a citizen participation process can be opened.

In formal terms, measures to suspend deadlines do not apply to projects submitted for environmental evaluation where a consultation process is being carried out. The SEA intends to continue with Indigenous consultation processes remotely, ignoring the digital divide and the barriers that many Indigenous communities face in having to continue with these processes virtually.

This has been the case of the Atacameño Community of Peine, which is in the process of consultation as part of the environmental evaluation of the environmental impact study for the “Operational Continuity of Compañía Minera Zaldívar” project, which proposes an extension of the permit to extract groundwater from the aquifer that feeds the high Andean wetlands and plains that are used by the community in its traditional grazing activities. The difficulties in accessing the internet in the remote territory of the community have made it impossible to continue with the Indigenous consultation process in practice. The SEA having not suspended the process deadlines has created a situation of serious discrimination with respect to the community of Peine.

This partial translation was prepared by [MiningWatch Canada](#) and [Earthworks](#). You can find the full, original version of the report here: <https://observatorio.cl/wp-content/uploads/2020/06/emergencia-sanitaria-en-el-contexto-de-la-pandemia-por-covid-19-en-chile-y-su-impacto-en-los-derechos-de-los-pueblos-originarios-11.pdf>