



UN registered Barro Blanco Hydroelectric Dam temporarily suspended over non-compliance with Environmental Impact Assessment

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PANAMA CITY, Panama and GENEVA, Switzerland (February 10, 2015) In a landmark decision, Panama's National Environmental Authority (ANAM) temporarily suspended the construction of the Barro Blanco hydroelectric dam yesterday over non-compliance with its Environmental Impact Assessment (EIA). The dam was approved by the UN Clean Development Mechanism (CDM) despite risks of flooding to the territory of the indigenous Ngäbe Bugle communities.

With delegates currently meeting in Geneva to draft negotiating text for a new global climate agreement, ANAM's decision illustrates why the agreement must include human rights protections, including the rights of indigenous peoples. In Geneva, several nations have already insisted on the need for climate measures to respect, protect, promote, and fulfil human rights for all.

"Panama has taken a critical first step toward protecting the rights of the Ngäbe communities, which have not been adequately consulted on the Barro Blanco CDM project. But much more work is needed," said Alyssa Johl, Senior Attorney at the Center for International Environmental Law (CIEL). "As an urgent matter, Panama should recognize its obligations to protect human rights in climate actions, such as Barro Blanco, by supporting the call for human rights protections in the UN climate regime."

Current climate mechanisms, such as the UN's Clean Development Mechanism, neither provide incentives for the sustainable implementation of climate actions nor offer recourse in the case of adverse impacts.

"The CDM Board approved Barro Blanco when it was clear that the dam would flood the homes of numerous indigenous families. This decision is a warning signal that safeguards must be introduced to protect human rights, including robust stakeholder consultations and a grievance mechanism," said Eva Filzmoser, Director of Carbon Market Watch.

ANAM's decision was triggered by an administrative investigation that found non-compliance with the project's environmental impact assessment, including shortcomings in the agreements with affected indigenous communities, deficiencies in negotiation processes, the absence of an archaeological management plan for the protection of petroglyphs and other archaeological findings, repeated failures to manage sedimentation and erosion, poor management of solid and hazardous waste, and logging without permission.

The Environmental Advocacy Center of Panamá (CIAM) considers it appropriate for ANAM to have taken effective and immediate measures to suspend the project. "This suspension reflects inadequate environmental management on the part of the company that requires an investigation and an exemplary sanction".

"During 15 years of opposition to the Barro Blanco project, we have exposed violations of our human rights and irregularities in the environmental proceedings. Those claims were never heard," said Weni Bagama from the Movimiento 10 de Abril (M-10). "Today we are satisfied to see that the national authorities have recognized them and have suspended the project, as a first step towards dialogue. Nevertheless, we continue to uphold the communities' position that the cancellation of this project is the only way to protect our human rights and our territory. We hope that this sets an example for the international community and for other hydroelectric projects, not only in Panama but worldwide."

"Any dialogue between the affected communities, the Government and the company has to be transparent, in good faith, respectful of the communities' rights, and include guarantees so that the communities can participate equally and the agreements are fully respected," explained María José Veramendi Villa, Senior Attorney at the Interamerican Association for Environmental Defense (AIDA). "In this dialogue, the State must take into account all human rights violations that have been denounced by the communities since the project was approved."

Environmental groups around the world are celebrating the suspension of the Barro Blanco Dam, following years of efforts in support of the indigenous populations in the Ngäbe Bugle *comarca*, which have been faced with oppression and numerous rights violations. Eyes are now watching for the reactions of the banks involved in financing the Barro Blanco project, including the German development bank, DEG, and the Dutch development bank, [FMO](#), against whom the M10 movement, which represents the indigenous communities, had filed a complaint.

"We urge the banks to halt disbursement of any remaining funds until all problems are solved and the affected indigenous communities agree to the project," said Kathrin Petz of Urgewald.

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