

PETROLEUM IN ARGENTINA 2003

1. NEUQUÉN AND REPSOL, OILED MEN

Dear Friends:

We are all used to watching different species of birds covered in oil on television. Penguins, seagulls and cormorants with their black wings are images that have gone around the world and are the symbols of contamination. However, there is much less known about the human beings covered in oil, victims of the same negligence.

Speaking of human rights, we have to remember that in any society where people have no access to adequate living conditions, work, education or health also means that they cannot breathe clean air, drink potable water and live on clean uncontaminated soils.

Let me tell you a little story. We had just come back from the province of Neuquén, an point in the immense Patagonian desert. There we toured the gas and oil deposit Loma de la Lata, the most important in the country and one of the biggest in Latin America, controlled by the Spanish company Repsol, the current owner of YPF. During a long period of state administration, YPF was conceived as a company that promoted regional development, as a way of compensating for the damages that their activities provoked on the land. Today the only function of YPF is to extract hydrocarbons and bring profit to the exterior, now that their owners are not obliged to reinvest in the country, and especially no to compensate for damages done. The environmental consequences of this activity are so serious that the results are difficult to imagine.

The landscape is oppressive. In the arid Patagonia, there appears, like toys spread out by a giant, the oil extraction pumps, the “steel storks”, as the poet Armando Tejada Gómez calls them. Roads and holes wound the landscape. Sometimes, a giant burner burns the gas that is left over: “Before, they didn’t burn. A little while ago, we started living with the smell of gas all of the time,” the guide tells us.

In this place, the company Repsol-YPF exploits mineral resources in the same site where two Mapuche communities live. Mapuche means “people of the earth”; for them, life is unimaginable outside these ancestral lands. Because of this, there is no point in buying them and send them to another place. “Man belongs to the earth”, says the chief of the Mapuche communities, and sounds really strange, listening to a real Indian cite the words of an apocryphal Indian, invented by a Hollywood scriptwriter and shared with all the world by the United Nations.

The company assures that the subterranean water is not contaminated, but the local population complains of diseases provoked by drinking from filtered waters from the exploitation site. Today these people now have lead and mercury in their blood, and after legal action, the company must provide them with bottled potable water. But, what water are they supposed to bathe with? What will the dying animals drink? I just saw deformed baby goats die. Maybe the explanation can be found in the streams, where the water is thick and the aquatic plants are covered with an oily film.

“How do you explain the animals that will not drink water from the streams?”, one Mapuche asks me. In the report elaborated by the technical team that assesses these communities, there are references to domestic animals born with deformations, as well as the fear that the same thing will occur in human beings.

“This is what the women have said, that they can’t have families, this is what we have seen in the animals”, says one of the testimonies. “Animals have been affected, they are born without hair and we can’t tell if they are goats or rats, and other animals are born looking like kangaroos. Last year, so many animals were lost, so many goats died...one animal was born without a head, with two ears but no head, just little ears, and this is what we are seeing today.”

“The women are more afraid. If the animals are born with these defects, what can we hope for in human beings?”, says another testimony. “This is something so terrible that not one father or one mother can support. Because of this, we women and men have to take care of ourselves. The new problem that we have is that our children are going to be women and men and we do not know if they will be able to have children...”

One oil spill first appeared as a stain on the earth, a substance similar to black clay, bleeding over the soil. At the beginning, the horizontal speed is greater than vertical speed, and the stain expands, and then little by little, it is absorbed. The distribution of the contamination depends on the type of soil and the lay of the land. We cannot see what goes on below the earth, but the plants know what is going on and makes sure to demonstrate it to us.

There are plants that stretch their roots to reach the freatic area (the first deposit of subterranean water). These are called freatofitas. These plants reach down looking for water, but instead of finding it, they find oil. At this moment they are poisoned and dry up where they are growing.

It wasn’t long ago that the company sustained that the subterranean water was not contaminated. We toured the zone, and every once in awhile there were tubes that allowed this water to be analyzed. One of the Indians dropped a bucket on a chain down the tube.

A slap is heard as the bucket reaches the bottom and a little while later, we see black water. "Does this look like potable water?" he asked. "The company always says yes. You'll see."

He spills a little of the black water on a rock, lights a match and the water goes up in a column of fire. A little further, the spills have been covered with earth, instead of properly cleaned up.

From the trial effectuated by the victims, a plant for the distribution of running water was built. They take it from the next river, which is also suspected for being contaminated. The collaborators of the Mapuches study the plans of this plant and discovered that there is no previously arranged proceeding to purify the water from the hydrocarbons that they could contain. There is only an elemental chlorination that only worsens the risks, since chlorine compounds in hydrocarbons are more dangerous than just regular hydrocarbons. The representatives of the affected communities have told me that they refuse to drink the water that does not offer even minimal guarantees of being potable.

When the oil spill isn't in the Galicia but in the Neuquén River, no one hears about it. The habitants who aren't Indians are not any better treated by the company. A small distance from the boundary of the exploitation area in the area of Añelo, a small town lost in the desert. The majority of its habitants complain of strong pains. Añelo has a municipal water tank that distributes water without any treatment.

We are in the house of a family. The bathroom smells of oil. On the edges of the sink and tub the water has left a thick, black residue. "We cleaned a few months ago", says the owner of the house, who has similar residues in their own body. "The months we are able to pay for bottled water we feel a little bit better", he adds, "but we already have the contamination inside our bodies". These neighbors have been threatened for denouncing the state of the water, threats that have also been extended to the pharmacies that have analyzed the water.

Everywhere, oil exploitation provokes environmental disasters, but there are few places in the world that have had to tolerate the abuses experienced in Neuquén. Is it because that the victims are poor or Indian that they are less important? Are there racist conducts in this contaminated hell? Or maybe this negligence is expressing the decadence of a political system given over to the service of international companies?

In this issue you will receive as a reference to read or download from the Internet the study that the professionals who assessed the Mapuches in their struggle against contamination put together. We cannot send it by email because of its length, but we recommend that you read it.

This is the Internet direction that you can find the complete report:
<http://www.ecoport.com.ar/articulos/lomalata.htm>

Antonio Elio Brailovsky
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Source: RESISTANCE OILWATCH NETWORK BULLETIN Number 36 - March 2003

2. NEUQUEN AND REPSOL, MEN COVERED BY OIL

Antonio Brailovsky

We are all used to see on TV diverse species of birds covered of oil. Penguins, seagulls, and cormorants with their black wings and muddy beak are images that have went all over the world and now are a symbol of pollution. Much less though is known of human beings covered by oil, victims of the same negligence.

When talking about human rights, we must remember that in any society in which people do not have access to housing, work, education or health; is the same people that can't breathe clean air, drink potable water, and live on top of polluted soils.

Let me tell you a story. We just came back from a trip to Neuquen province, a spot in the huge Patagonia desert. We then toured the oil and gas field Loma de la Lata, the country's most important, in charge of the Spaniard Repsol company, the current owner of YPF. During its long process under the state's administration, YPF was conceived as a company that promoted the regional development, as a way to compensate the damages caused by its field activities. Nowadays, the only role played by YPF is extracting hydrocarbons and take the profits overseas, given that its owners have no obligation to reinvest these in the country, much less to compensate the caused damages. The environmental consequences of this mining activity are so deep, that are difficult to imagine.

The landscape is oppressive. In the dry Patagonia plateau appear, as toys dispersed by a giant, the extraction oil pumps, the "oil storks" as called by the poet Armando Tejada Gómez. The landscape is wounded by roads and punctures, and ploughed by pipes in every direction. Every now and then, a huge burner flares the remaining gas: "They didn't use to burn them before. Not long ago, we used to live all the time with those gas smells," the guide tells us.

In that place, Repsol-YPF company explores the mining resources in the same place two Mapuche communities live. Mapuche means "people of the earth"; for them, life is unthinkable away from their ancestral land. Therefore there is no point in buying it from them, and sending them somewhere else. "Man belongs to the

earth,” says the chief of Mapuche communities, and sounds really awkward, to hear a real Indian cite the words of an apocryphal Indian, made up by a Hollywood script-writer and worldwide spread by the United Nations.

The company claims that subsoil waters are not polluted, but the residents claim suffering diseases induced by drinking from a subsoil stream to which the oil drilling purge waters filtered. Today these residents have lead and mercury in their blood, and, after a trial, the company must provide potable bottled water. However, with what water should they bathe? What will their dying animals drink? I just saw little goats die, born with malformations. Maybe the explanation lies in the streams: water is thick and water plants have oily edges.

“How do you explain the animals, and tell them not to drink from the streams?” one Mapuche asks me. In the technical report consulting these communities, some references appear regarding congenital malformations in domestic animals and also the fear that this also occurs with human beings: “this has been told to women, that they can’t have a family, we have seen it in animals,” says one of the testimonies. “Animals have been affected, born bald we do not know if they are goats or mice, or kangaroo-looking animals. The loss was so great last year, so many goats died... animals without head came out, with two ears and without the head; mere little ears, that is what is being seen these days.”

“More fear with women. If animals come out with this defect, what can we expect for people,” another testimony says. “This is something terrible that neither a father, nor a mother can endure. That is why men and women have to be careful. The new problem is that children will become men and women, and we don’t know if they will be able to have children themselves.”

An oil spill first appears as a spot on the ground, a substance similar to black mud that spreads along the ground. At the beginning the horizontal speed is greater than the vertical, the spot expands first and, later, slowly, it absorbs itself. The pollutant’s distribution depends on the type of soil and the terrain’s ups and downs.

We can’t see what happens under the ground, but the plants feel it and show it to us. There are plants that extend their roots until reaching the freatic layer (this means, the first layer of subsoil water). These are called “freatophytes”. These plants go down their way through the soil until, instead of water, they find oil. At that time they die poisoned and they stay dry in their place. The spot of dry weeds at the surface has the exact same shape of the underground oil spill.

Not long ago, the company claimed that underground water was not polluted. We scour the area; every now and then, some pipes allow us to reach the underground water and analyze it. One Indian throws a small cup with a chain inside. We hear a splash in the bottom, and later we see dark water. “Do you think this is potable?” he asks. “The company always claimed it is. Let’s see.” He spills some dark water on top of a stone, he brings a lit match near, and the water flares into a high column of fire.

Further beyond, the oil pools have been covered with dirt instead of being drained or closed, and in any place there is so much oil that the soil itself can burn up in flames.

Following a trial placed by the victims, a running water distribution plant has recently been built. Water is provided by a nearby river, which is also suspected to be polluted. The Mapuche counsellors review the plant's drafts, and find out there is no planned procedure to clean up water from the possible presence of hydrocarbons, only an elemental supply of chlorine. This deepens the risks, given that the chlorine hydrocarbon compounds are even more dangerous than hydrocarbons themselves. Leaders of the affected communities tell me that they refuse to drink some water that does not offer minimum guarantees for consumption.

When the oil spill isn't in Galicia but in Rio Neuquén, it doesn't reach the media. Non Indian population haven't been better treated by the company. Not far away from the borders of the explored area, we find Añelo community, a small town lost in the desert. The greater part of its inhabitants complains from strong joint pains.

Añelo has a city water tank that distributes the liquid untreated. We are in the house of a town family. In the bathroom's water deposit, the water smells like hydrocarbons. In the toilet margins the water has left a black and muddy residue. "We cleaned it up a couple of months ago," says the house owner, who has similar residues in his organism. "The months we can afford bottled water we feel a little better," he adds, "but we already have the pollution in our bodies." These neighbours have been threatened by denouncing the state of water, threats that have also extended to the pharmaceuticals that examined it.

In every part of the world, oil exploration produces environmental disasters, but in very few places of the world such great abuses have been tolerated as in Neuquén. Is because the victims are poor or Indians that nobody cares? Or maybe this negligence is expressing the decadence of a political system at the service of international companies?

A great hug to everybody.

Antonio Elio Brailovsky

Assistant Ombudsman of the City of Buenos Aires

If you want more information regarding the situation of the Mapuche people and Repsol-YPF oil company, please visit this website:

<http://www.ecoport.com.ar/articulos/lomalata.htm>

Source: <http://www.ecoport.net/defensorecologico>

Source: RESISTANCE OILWATCH NETWORK BULLETIN Number 38 - May 2003

3. PROVINCE GOVERNMENT AUTHORIZES OIL EXPLORATION IN LLANCANELO

Finally, on Friday, 17th of recent January, the Province Government of Mendoza, through resolution No 190/2003, authorized Repsol YPF to explore for oil in the Llanquanelo Lagoon area, in five of the eight dwells planned in the presented project, granting the Declaration of Environmental Impact, and conditioning the authorization of the three remaining dwells only to the presentation of new locations for the drilling works.

So does a two and a half year process end, when the august 2000 public hearing was followed by voices of dissent heard all over the world, rejecting the Spanish oil company's intentions to explore hydrocarbons in Llanquanelo Lagoon, located in the southern part of Mendoza province, and considered one of the most important wetlands of South America and the world, internationally acknowledged as a Ramsar site since 1995, and a province reserve since 1980.

The claims from environmental organisations, environmental lawyers and national and international scientists, weren't enough to bend the government's firm decision to approve the Repsol YPF initiative. Reason being that the company's profit payment represents the most important income for the province budget; even worse if we consider that last October the province almost declared itself in bankruptcy, and received a \$30 Million aid from the oil company, to pay for the province's most urgent obligations.

Among the ministerial resolution's highlights, there is the creation of a so called LLANCANELO ENVIRONMENTAL UNIT, made up of officials from Sanitation and Environmental Control, and Renewable Natural Resources bureaus. Its role will be enforcing all established dispositions in the Declaration of Environmental Impact, design a yearly Operative and Follow up strategy, as well as the Faunistic Reserve Management Plan, recommend corrective measures, and provide periodical information regarding its activities and the oil company's activities to the Ramsar Convention office, as well as to local institutions. Other Environmental Unit tasks will be handling the reserve's environmental administration and follow up the Llanquanelo Field aquifer, because in March, 2001 high hydrocarbon levels were detected in a Reserve water well, which lead to the suspension of the Environmental Impact Evaluation process, in order to carry on specific studies, which haven't taken place so far, because the very State Attorney's office -the province environmental ombudsman- determined that the administrative procedure could go ahead, without the need to define the issue.

"This is the first case in Mendoza's history that an Environmental Impact Procedure violates every related regulation, starting from the National Constitution until the Ministerial Resolutions," says Eduardo Sosa, from Oikos environmental network, an organization part of the conflict against the coalition government-company. "The Environmental Impact Declaration is provided to a project in which there was no participation –until very late- of neither lawyers, nor biologists, in an area that, very

conveniently, hasn't been delimited yet, that has no baseline aquifer study, where rights to participation and to environmental information were violated; and its activities are authorized without having a suitable emergency Response Plan. The presented project does not include, among other things, a risk evaluation, a definition of the geographical ambit, any mention to fire security systems, evacuation plans, etc. The reserve's un-delimitation is deliberate, because if word got out that the dwells belong to a protected area, a specific law –No 6045- clearly prohibits all hydrocarbon exploration activities. Meanwhile, not conducting an aquifer baseline study releases the oil company Repsol YPF from any future responsibility for environmental damages. Because if in the future, hydrocarbons are found in subsoil water streams, we will never know if this pollution was caused during Repsol's operation period, or during the past YPF era. To top this masterpiece a trigger clause is specified, by which the company will be forced to stop its operations in case a big accident occurs in the area, synthesizing the environmental policy of the Mendoza government: act once things happen," Eduardo Sosa concluded.

Regarding the detected irregularities along the whole process, Sosa warned, "we will slowly study the Declaration of Environmental Impact, and in case this does not cover all basic points ensuring a protection proportioned to the wetland's ecological assets, we will go to justice to enforce the citizen's rights."

So closes a phase of the most important environmental conflict the Mendoza province has experienced in the last years. Probably another one will start in the law field, if citizens join the claim of the environmental organizations.

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