

INTERNATIONAL EXPERTS REQUEST PRECAUTIONARY MEASURES TO AVOID AN ECOLOGICAL CATASTROPHE IN THE CORDILLERA DEL CONDOR, THE ECUADORIAN AMAZONIAN WATERSHED

The Mirador Copper Mine Project presents a serious and imminent danger to the Rights of Nature in the upper Amazon river basin.

Quito, Ecuador – Last Friday, March 1st, two UN *Rights of Nature* experts presented a request to the Ecuadorian court to suspend the construction of the tailings dams of the mega open-pit mining project "Mirador ". The tailings dams are located in the Cordillera del Condor of the Amazonian province of Zamora Chinchipe.

David Dene and Julio Prieto, experts recognized by the Harmony with Nature program of the United Nations, presented the request based on a rigorous technical report prepared by Dr. Steven H. Emerman, who is an internationally recognized expert on tailings dams and their structural integrity.

Dr. Emerman points out in his report that the current design of tailings dams - the only barrier that protects Nature from the toxic waste generated by Mirador's mining operations - is not adequate for the natural conditions of the area, which generates a probability of failure so high that it is imminent. It is a serious and imminent threat of around 100 million tons of highly toxic waste (tailings), which will be discharged directly into the surrounding rivers.

A design similar to that of the dams that are being built at the Mirador Mine project was used in the Brazilian mine of Córrego de Feijão, whose appalling collapse in January of this year caused the death or disappearance of around 300 people, and unquantifiable damage to various ecosystems.

"When the Mirador dams fail, they will completely annihilate the life cycles of the Quimi, Tundayme, Zamora and Santiago rivers, which are tributaries of the Amazon," said Dene. "The catastrophe in Minas Gerais (Brazil) was caused by the collapse of a dam that is small compared to the dams being built at the Mirador Mine. When the Mirador Mine dams collapse - and there is no doubt that they will collapse - the impact on ecosystems and loss of biodiversity will be catastrophic. "

The request for this precautionary measure explains in detail how the sum of adverse natural conditions and the design of dams is a perfect formula for an environmental catastrophe. "The construction method of the dams that ECSA are building at the Mirador Mine is so risky that its construction is illegal in Chile and a few weeks ago was declared illegal in Brazil," said Prieto. "If we add to this the high seismicity and rainfall of the sector, and its rugged geography, once the dams of the Mirador project have been built, they will be like a loaded gun, ready to kill. We must intervene before the dams are finished; before the gun is loaded," he added while discussing the case during a conference on the Rights of Nature at Yale University.

The activists are being represented by Juan Pablo Sáenz, an Ecuadorian lawyer, who stated that "this action is aimed at suspending the construction of tailings dams until their design is re-evaluated and updated, for which best practices and technologies should be adopted that guarantee the protection of the Rights of Nature, recognized by the Ecuadorian constitution ". They also have the advice of the expert in constitutional law, Gabriela Espinoza, who specializes in the application of constitutional rights between private parties. As she explains: "Since rights of nature are constitutional rights, the mining company is constitutionally obliged to respect them. Constitutionally, enforcement is a certainty. There is no constitutional grounds for a refusal".

The mega open-pit mining project Mirador is built and will be operated by Ecuacorriente S.A., a subsidiary of the Chinese state-controlled China Railway Construction Corporation and the Tongling Nonferrous Metals Group Holding Company.

Ecuacorriente S.A. has been encountering resistance from both indigenous and environmental movements in its operations in Ecuador. Mirador's works were temporarily suspended in November 2018, due to the death of two Ecuadorian workers caused by a failure to comply with occupational health standards.

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