



# Public opposition or social protest against investment projects in Chile and Colombia

## Oposición pública o manifestación social frente a proyectos de inversión en Chile y Colombia

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### ABSTRACT

Public opposition is both an individual and collective right that allows for free expression, becoming a fundamental component of the sustainability of democracy. Likewise, public opposition is considered an elemental factor in democratic collectives. Thus, its importance is expressed in undertaking actions to limit what is termed “current governments.” In turn, they represent the most effective alternative for forming new governments. In this regard, the aim was to describe public opposition, its drivers, and the main manifestation against mining-energy projects in Chile and Colombia. For this purpose, a mixed study was conducted with a predominance in the qualitative aspect, where documentary review was the main technique used as a methodological resource. The analysis of 24 projects is evident, 9 in Chile and 15 in Colombia, identifying 18 forms of public manifestation, with strikes being the most representative. Likewise, it is shown how the drivers that generate conflicts in energy projects in Chile and Colombia are grouped into components such as governance and environmental. Finally, strategies to mitigate and compensate for the impact caused by public opposition to investment projects are presented.

**Keywords:** investment, public demonstration, economic policy, development project.

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### RESUMEN

La oposición pública es un derecho individual y colectivo que permite la expresión libre, convirtiéndose en un componente fundamental para la sostenibilidad de la democracia. Asimismo, la oposición pública es considerada un factor elemental en los colectivos democráticos. Así, su importancia está expresada en la realización de acciones para limitar a los denominados gobiernos de turno. A su vez, conforman la alternativa más eficaz para la formación de nuevos gobiernos. En este sentido, el objetivo estuvo direccionado a describir la oposición pública, sus impulsores y las principales formas de manifestación frente a proyectos minero energéticos en Chile y Colombia. Para ello, se realizó un estudio mixto con predominancia en lo cualitativo, donde la revisión documental fue la principal técnica empleada como recurso metodológico. Se evidencia el análisis de 24 proyectos, 9 en Chile y 15 en Colombia, identificándose 18 formas de manifestación pública, siendo las huelgas las más representativas. Igualmente, se muestra como los impulsores que generan los conflictos en proyectos de energía en Chile y Colombia se agrupan en componentes como la gobernanza, la ambiental, entre otros. Por último, se muestran estrategias para mitigar y compensar el impacto causado por la oposición pública en los proyectos de inversión.

**Palabras clave:** inversión, manifestación pública, política económica, proyecto de desarrollo.

**Clasificación JEL:** D24; O14.

## INTRODUCTION

Social protest is a primordial element for the preservation of democracy in societies. In this way, it is supported by a variety of rights and independence that the Inter-American system guarantees in the American Declaration of the Rights and Obligations of Man as in the American Convention on Human Rights (Milano et al., 2019; Enikolopov et al., 2020;



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Kalz, 2022).

Thus, the right to freedom of expression and the right to assembly is closely related to the right to protest, which protects individuals and collectively to be able to publicly outline ideas, opinions, oppositions, visions, or political perceptions, as well as to demand compliance with social, cultural and environmental rights, public policies or denounce a public problem and defend the recognition of historically discriminated groups, among others. Therefore, the Inter-American Court has mentioned that when there is a rupture of institutional and democratic nature, the protest can be understood as fulfilling the duty to protect democracy. However, it must always be exercised peacefully and without the use of weapons (Lanza, 2019).

Also, Zhang and Pan (2019), Lee (2020), Mendes (2020), and Rodriguez et al. (2022) have stated that protests can be carried out or supported by a single person, civil society, neighborhood associations, entities, educational centers, research institutes, unions, among others; where elements such as leadership play a determining role. Likewise, protests and demonstrations can take different forms and modalities, such as concentrations or marches in public spaces, strikes, roadblocks, "cacerolazos", vigils, parades, congresses, or different types of events.

Likewise, Tai et al. (2020), Valenzuela et al. (2021), and Zaslove et al. (2021) have stated that, both in the Inter-American Human Rights System and in the universal system, as well as in other regional systems, it has been described that states must protect, respect and guarantee human rights in the context of demonstrations and protests. Therefore, these rights must be taken into account by all administrations.

### **Methods or forms of manifestations of Public Opposition (OP)**

Gene Sharp advocated nonviolence as a struggle against power and put forward 198 nonviolent demonstrations. His rationale was that when people are unwilling to cooperate, refuse to help, and persist in maintaining this defiant posture, they deprive their opponents of the elementary support and cooperation that any government requires. Therefore, if it is carried out by enough people and for a prolonged period, it will lose power (García, 2020). The author above expresses that the 198 forms comprise various methods of specific actions, which, in turn, are classified into three groups: protest and persuasion, non-cooperation (NC), and finally, nonviolent intervention, protest, and nonviolent persuasion. They also include 54 methods that are mainly symbolic acts of peaceful opposition, grouped into ten subcategories: 1) formal statements, 2) communication aimed at broader audiences, 3) group performances, 4) symbolic public acts, 5) pressure on individuals, 6) dramatic and musical performances, 7) processions, 8) tributes to the deceased, 9) public assemblies, and 10) withdrawals and resignations.

In this regard, Malacalza (2020) has stated that NC methods involve NC with opponents, where people involved in a conflict eliminate existing cooperation with opponents or are unwilling to initiate new ways. They can be divided into Social, economic, and political NC. Social NC does not allow normal social relations with those who have committed incorrect, unjust actions or refused to comply with the models of behavior. For this purpose, 15 methods of social NC are established, grouped into three subgroups: 1) banishment of people, 2) NC with social events, customs, and institutions, and 3) withdrawal from the social system (Paredes et al., 2019).

On the other hand, the economic NC has to do with the refusal to initiate certain economic relations, which are protected in the subcategories of economic boycotts and labor strikes. Economic boycotts show 25 methods divided into six subgroups: 1) consumers, 2) workers and producers, 3) intermediaries, 4) owners and managers, 5) owners of fiscal resources, and 6) governments (Ocampo, 2020). Thus, labor strikes involve the refusal to continue economic cooperation through labor. Thus, there are 23 types of strikes divided into seven subgroups: 1) symbolic, 2) agricultural, 3) special groups, 4) ordinary industrial, 5) limited, 6) multi-industrial, and 7) a combination of strikes and economic closures.

Likewise, Grandas (2019), Perez (2020), and Baena (2020) have described that political NC can suspend or withdraw cooperation on issues of political magnitude. It includes 37 methods fractioned into six subgroups: 1) rejection of authority, 2) citizen NC with government, 3) citizen alternatives to obedience, 4) action by government personnel, 5) domestic government action, and 6) international government action.

### **OP in infrastructure projects**

In a study of 200 infrastructure projects affected by conflicts, executed in 20 countries in Latin America and the Caribbean (LAC), corresponding to the Resource Extraction, Energy, Waste, Water, Transportation, and Urban Development sectors, it was determined that the origin of the conflicts was multidimensional and had a

more significant impact on the execution of the projects than was usually taken into account in decision-making. In addition, they generated a cascade effect among them, increasing the level of subsequent conflicts, which could turn into violent confrontations. In general, the drivers of conflicts in energy projects were classified into four components: 1) governance, 2) environmental, 3) social, and 4) economic.

**Table 1.**  
*Drivers of conflicts in energy projects*

Concepts	Causes of the conflict	Share (%)
Governance	Poor planning	89
	Lack of adequate consultation	87
	Lack of transparency	67
	Corruption	40
	Previous poor reputation	9
	Insufficient local participation in the company	7
Environmental	Degradation	84
	Pollution	64
	Deforestation	36
	Historical opposition	33
	Climate change	20
	Water problems	11
Social	Impacts on local values	87

Source: Watkins et al. (2017)

In Watkins et al. (2017), it was evidenced that the main drivers of conflicts in the governance, environmental, social, and economic components were poor planning in 89% of cases, degradation of ecosystems in 84%, impacts on local values and reduced access to resources that led to the emergence of conflict with 87% and failure to carry out the works promised by the government in the project agreement generating conflicts in 42% respectively. The study also evaluated how conflicts progressed, finding that they usually all presented the following path:

- Opponents started with press statements (100% of cases) and complaints about administrative aspects (96% of cases).
- If there was no solution, they continued with protests (90% of the cases) and road blockades (51%).
- If the conflicts continued, litigation (63% of cases) and arbitration (10% of cases).

Regarding strategies proposed to counteract the OP, according to Murgas et al. (2021), some studies have proposed solutions such as improvement of the legal framework and procedures, implementation of different types of technology, creation of participatory models for decision-making, application of financial incentive policies, permanent tax deductions and investment subsidies; participatory investment in projects by customs and living conditions; strengthening of information processes and prior consultations; and, control and monitoring of environmental impact. Therefore, the objective of this study was to describe public opposition, as well as its drivers and the primary forms of manifestation against mining and energy projects in Chile and Colombia.

## METHODS

The present study adopted a mixed research approach with a predominant emphasis on qualitative aspects. This methodological choice is justified by the need to provide a qualitative-quantitative description of the phenomenon under investigation. Although qualitative evidence served as the primary source of insights, quantitative data complemented these descriptions, offering a holistic understanding and explanation of the phenomenon. This design was informed by various theoretical models, including humanistic, hermeneutic, and inductive (Sanchez, 2019; Mensah, 2019).

An essential part of this study was a comprehensive review of relevant literature. Vital primary sources supporting mixed-design research were identified and selected during this phase. The review benefited from advanced searches using specific keywords on recognized academic platforms like Google Scholar. In addition, indexed databases such as Scopus, SciELO, and Web of Science were consulted to ensure a comprehensive review. The methodological

structure of the study was divided into two main phases:

**Descriptive:** During this phase, specific indicators were detailed, such as the methods or forms of PO manifestations and the presence of POs in infrastructure projects. In addition, the interrelationship between these indicators was investigated.

**Analytical:** At this stage, detailed analyses of PO in infrastructure projects in Chile and Colombia were presented. Proposed management strategies to mitigate and offset the impacts of such projects were also discussed.

Although the indicators and analyses are presented sequentially, the ideas and categories were interrelated and mutually enriching throughout the study. Synthesis, paraphrasing, and conceptual integration techniques were used to process and analyze the information gathered, facilitating its subsequent codification.

## RESULTS

### Analysis of the PO in infrastructure projects in Chile

According to the Specialized Attention Information System (SIAE), at least 35 formally constituted organizations in Chile act as advocates promoting policies and channeling international support. The transversally influential variables in the paralyzation of projects are political opposition, judicialization, and communication coverage (Hernández & Sazo, 2020; Orellana, 2022; Márquez & Reyes, 2022). The Chilean Patagonia Defense Council advanced opposition campaigns with posters in public places and employed the media and so-called social networks.

In this regard, Aranda (2019) and Caulkins et al. (2023) have stated that, in the electricity sector, the opposition of third parties to the siting of projects is attributed to the perception of the community, due to the misinformation that exists and that is aggravated by the lack of an energy policy that integrates the economic, social and environmental aspects of the sector under a view of sustainable development and regulation in the land use planning of the indigenous consultation process enshrined in ILO Convention 169 and operational strategic environmental assessment.

In the Chilean territory, conflicts related to socio-environmental elements currently contribute to one of the main problems affecting the mining sector, which accumulates 28% of the total cases, followed by the thermoelectric sector with 22% and hydroelectricity with 21% (Caulkins et al., 2023).

According to these authors, the National Energy Commission, in its document entitled: "New guidelines," has stated several reasons related to social conflict, which are generated in the context of the implementation of energy projects (EP) in the electricity sector, among which the following stand out:

- The benefits achieved through SPs have a general scope according to their impact.
- SEs are not labor intensive.
- Due to the tax system, SPs must provide sufficient tax resources for the community where the project is implemented.
- Land use is not sufficiently regulated to enable the articulation of the territory's various uses, facilitating the PE implementation process.
- Location of EPs in indigenous territories.

Furthermore, according to a study conducted by the Faculty of Law, University of Chile, in January 2012, another aspect that affects the level of opposition is the size of the projects, manifested through the filing of actions and appeals in administrative and judicial proceedings, where the more significant the project, the higher the level of opposition from third parties (Sanhueza, 2021).

On the other hand, even though the national public opinion survey conducted by the Center for Public Studies (CEP, 2011) states that 67% of individuals considered that more attention should be paid to the impact of solar, wind, or hydraulic energies to supply their energy needs, the community finally showed its opposition to the installation of wind farms in their environment. All this because, according to their criteria, this energy could not cover all their needs; wind energy had little reliability since its development depended on the wind; in addition, it demanded a high expense in terms of the assembly of its structures; and such energy contributed to noise and landscape pollution due to its large and powerful turbines (Jara, 2019).

It is essential to mention that the projects that have had opposition for their execution in Chile are the

hydroelectric power plants of HidroAysén, the Pangué, Alto Maipo, Río Isla, the Chiloé Wind Farms, and the Castilla Thermoelectric Power Plant (Mansilla et al., 2019).

### Analysis of the PO in infrastructure projects in Colombia

Chomsky (2019), Fernández (2020), Vásquez and Ovalle (2020), Schwartz (2021), Perdomo and Furlong (2022), and Feo (2022) have mentioned that in Colombia, the main reasons for opposition by employees of extractive and energy industries are mainly due to the violation of rights, free and spontaneous association, among others. Thus, community opposition to large projects is mainly due to:

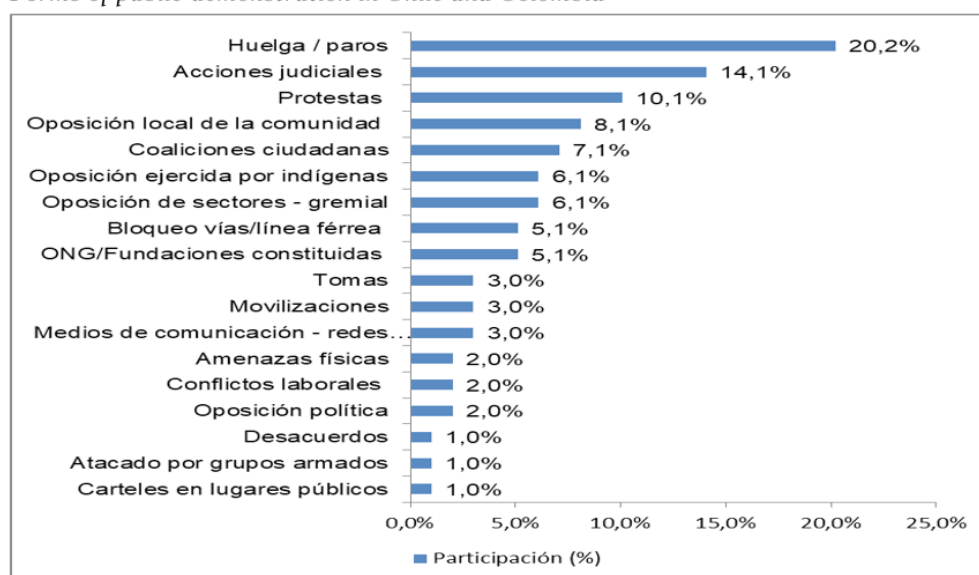
- Non-recognition of the influenced communities, not only in the physical space but primarily in their uses and customs.
- The protests cannot be considered either as a rejection of development or as the product of a plot by anti-national sectors but as the mere expression of communities that do not identify with the model of exercise of power in their territory.

Therefore, strategies must be defined to govern society, thinking about achieving sustainable development and not only under the traditional conception of exploitation and use of resources. Therefore, opposition to the execution of projects should be considered as a contribution to the construction of society, to the search for negotiated solutions, and not in a perspective of confrontation and resistance of the other.

It should be noted that some projects that have been opposed for their execution in Colombia are the Jepirachi Wind Project, El Cerrejón Mining Project, Manaure Salt Extraction Project, El Quimbo Hydrological Project; Porce IV Energy Project, Cercado del Ranchería Multipurpose Project; El Guavio Dam; Hidroituango Hydroelectric; Palagua; Porvenir II, among others (Gamboa, 2022). In the end, the primary forms of public protest in Chile and Colombia against the construction of mining and energy infrastructure projects were determined, which are shown in figure 1 with their levels of participation.

**Figure 1.**

*Forms of public demonstration in Chile and Colombia*



Note: the figure appears in its original language.

In figure 1, 18 forms of public demonstrations were identified in Chile and Colombia, with strikes/ strikes being the most representative at 20.2% (20), followed by legal actions at 14.1% (14), and protests at 10.1% (10). Tables 1 and 2 show the identified drivers or causes that generate conflicts in energy projects in Chile and Colombia, grouped into the following components: governance, environmental, social, economic, and project.

**Table 2.***Drivers or causes of conflicts in energy projects in Chile and Colombia*

Component	Causes of the conflict	Cant.	(%)
Governance (37.4%)	Poor planning	13	6.60
	Lack of adequate consultation	26	13.10
	Lack of transparency	6	3.00
	Corruption	7	3.50
	Previous poor reputation	3	1.50
	Environmental regulation	44	22.20
	Non-compliance state/company	10	5.10
	Participation model	29	14.60
	Information - communication model	18	9.10
	Land use planning - land intervention	29	14.60
	Repression by public forces	4	2.00
	No environmental impact study	9	4.50
Environmental (19.20%)	Environmental impact or degradation	60	58.80
	Pollution	10	9.80
	Deforestation	1	1.00
	Climate change	5	4.90
	Water problems	26	25.50
Social (27.50%)	Displacement of people	29	19.90
	Distrust and uncertainty	8	5.50
	impacts on local values - Sacred sites	9	6.20
	Quality of life (social, cultural, economic impact)	28	19.20
	Internal conflicts	10	6.80
	Limited local labor force	2	1.40
	Threats to people	3	2.10
	Abuse of labor rights	19	13.00
	Conditions of access to work		
	Violation of rights	33	22.60
	Prostitution	5	3.40
Economic (11.30%)	The government does not carry out the required works.	3	5.00
	Wage disputes	7	11.70
	Unfair distribution of benefits	9	15.00
	Price of infrastructure services	2	3.30
	Local economy	14	23.30
	Compensation and indemnification plans	22	36.70
	Territorial devaluation	3	5.00
Projecto (4.50%)	Project location	16	66.70
	Low energy production	2	8.30
	High energy costs	2	8.30
	Design flaws	4	16.70

Source: own elaboration.

Thus, table 2 shows that, in governance, the main driver was environmental regulation with 22.2%; in environmental, it was environmental impact with 58.8%; while in social, it was the violation of rights with 22.6%; in economic, it was compensation and indemnification plans with 36.7%; and in the project, it was the location of the project with 66.7% respectively.



## Management strategies to mitigate and compensate for impacts

Some strategies have been implemented to mitigate the impacts created by wind energy projects, which are contained in the environmental management plans and include the following measures:

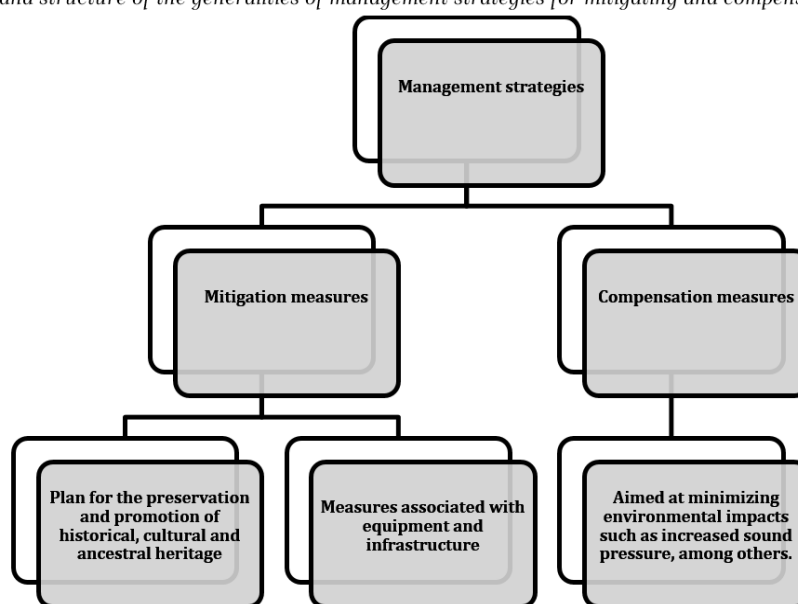
**Mitigation measures:** These are aimed at minimizing environmental impacts such as increased sound pressure, impact on fauna habitat, loss of habitat for terrestrial fauna populations, loss of flora and vegetation, loss of landscape quality, and direct alteration of archaeological sites.

**Compensation measures:** These are focused on compensating for the impact on fauna habitat, loss of flora and vegetation, loss of landscape quality, water resources, displacement, security, and improvement of access routes to the project. In addition, risk prevention plans, contingency and accident control plans, and sustainability plans are established and proposed to be implemented:

- Plan for conserving and promoting historical, cultural, and ancestral heritage.
- Socioeconomic development, employment, entrepreneurship, and training plan.
- Monitoring of socio-environmental impacts.
- Measures associated with equipment and infrastructure.
- The Indigenous Community Investment Fund was created for housing programs, water supply systems, and community centers.

**Figure 2.**

*Order and structure of the generalities of management strategies for mitigating and compensating impacts*



Source: own elaboration.

Thus, the present study is closely related to some research that has addressed the issue of the PO in the face of investment projects in both Colombia and Chile, including authors such as Akchurin (2020), who, based on the definition of defensive mobilization, argues that opposition is more likely when a project is perceived as a threat to some members of a community. Likewise, the Castelblanco et al. (2022) study aims to understand the current challenges to achieving social legitimization in various public partnership programs by analyzing contractual clauses and legal frameworks. Finally, Miño (2022) addresses the issue of exports and foreign investment and examines how these projects have attempted to attract both internal and external audiences by capturing specific moments in the history of these countries' political, social, and economic development.

## CONCLUSIONS

This article refers to the PO, its primary forms of manifestation, and the drivers that generate conflicts about infrastructure projects, mainly mining and energy projects implemented in Chile and Colombia. Twenty-four projects were considered for the study, nine executed in Chile and 15 in Colombia. Eighteen forms of public protest were identified, with strikes being the most representative, followed by legal actions and participatory protests.

As for the drivers or causes that generate conflicts in energy projects in both Chile and Colombia, 530 were found, which are grouped into the following components: governance with 198, followed by environmental with 102, social with 146, economic with 60, and project with 24. Likewise, it is evident that the governance component is the primary driver of environmental regulation at 22.2%; the social component refers to the violation of rights at 22.6%; the economic component refers to compensation and indemnification plans at 36.7%, while the project component is equivalent to the location of the project with 66.7% respectively.

Having said the above, it is imperative to state that the environmental management plans of the projects identify and propose some strategies to mitigate the impacts generated by the initiatives related to wind energy, which include mitigation measures aimed at minimizing environmental impacts and, in turn, compensation measures, focused on offsetting the impacts caused.

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