



**REPORT OF THE CAO EXPERT MISSION  
TO CAJAMARCA:  
JANUARY MEETINGS**

February 2002

**Office of Compliance Advisor/Ombudsman  
of the International Finance Corporation and  
the Multilateral Investment Guarantee Agency**

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## **I. BACKGROUND EVENTS**

The origin of the Mesa de Dialogo y Consenso CAO-Cajamarca stems from two formal complaints submitted to the CAO. The first of these complaints was filed by community leaders concerning the aftermath of the mercury spill that occurred on June 2, 2000 affecting the communities of San Juan, Choropampa and Magdalena. A second complaint was submitted by a local group of the Rondas Campesinas in Cajamarca. It detailed concerns related to environmental, social, and economic impacts from Minera Yanacocha's operations, as well as concerns regarding consultation and outreach, and compliance with a number of IFC Safeguard Policies.

In response to these complaints, the CAO convened a mission to understand and address the problems in a more comprehensive manner through the creation of a multiparty dispute resolution and dialogue process. During the course of the past seven months CAO facilitators have made five visits to Cajamarca. These visits began in July 2001, with an assessment of the situation and an appraisal of the suitability for using dispute resolution and dialogue techniques. Based upon the situation assessment and with the support of the community and the mine, the CAO initiated a dialogue process to address concerns related to the environment, employment matters, health concerns, etc.

In September 2001, representatives from rural communities, private and public institutions and Minera Yanacocha assembled to open up communication channels, and scope and prioritize issues to be considered during the dialogue process. Participants raised concerns about water quality and quantity, air quality, environmental impacts on frogs, birds, fish and other fauna and flora, issues related to jobs and other socioeconomic matters. They specified water as their highest priority and by consensus, agreed to an independent study evaluating conditions of water quality and quantity in the city of Cajamarca and affected villages.

Dialogue participants reconvened in October 2001 to refine the focus for the independent water study, develop an initial blueprint for a local leadership and coordination structure, and determine a strategy for building capacity in problem solving and conflict resolution skills.

In November 2001, dialogue members participated in a field trip to Minera Yanacocha and a group of thirty individuals from different sectors attended a two-day capacity building workshop in conflict resolution.

In January 2002, participants assembled again to meet and engage in dialogue with the team of technical experts who had been contracted by the CAO to develop the statement of work for the study. Mesa representatives also approved Mesa protocol that establishes the framework for how the Mesa intends to operate. Prior to the Mesa, approximately 30 participants from the November capacity building workshops attended the second in a series of three training programs on consensus and conflict resolution. A new group of 30 participants took part in the first workshop session and will participate in two additional sessions over the next several months.

## **II. The MESA**

The CAO team convened and facilitated a meeting of the Mesa de Dialogo y Consenso CAO-Cajamarca on January 29, 2002, from 9:00 a.m.- 6:30 p.m., at the Hostal Los Pinos. Approximate 45 representatives and 15 observers from key interest groups attended the session. Representatives participated from the following organizations: Federacion de Rondas Campesinas Femeninas del Norte Del Peru (FEROCAFENOP), Federacion de Rondas Campesinas de La Provincia de Cajamarca (FEROCAPROCAJ), Federacion de Rondas Campesinas Femeninas de la Provincia de Cajamarca (FEROCAFEPROCAJ), Coordinadora Regional de Cuencas Afectadas Por La Mineria en Cajamarca (CORECAMIC), Coordinadora Provincial de Caserios Afectados por la Mineria en Cajamarca (COPROCAMIC), Minera Yanacocha, Provincial Municipality of Cajamarca, Alcaldes of the Pueblos Menores of the Districts of La Encanada and Banos del Inca, Cajamarca Chamber of Commerce, CARE, SEDACAJ, ITDG, PRO AGUA, National University of Cajamarca, Ministry of Energy and Mines, Obispado de Cajamarca, ASPADERUC and Valle y Vida.

### **Report on the Activities of the Coordinating Committee**

At the November Mesa, dialogue participants established a Coordinating Committee to provide guidance and local leadership for a uniquely Cajamarcan dispute resolution process. The Committee is charged with organizing upcoming dialogue meetings; participating in the development of Mesa agendas; advising CAO facilitators on meeting goals and strategy; arranging logistics; developing an effective working group; building credibility and support for the Mesa within the broader community; etc. Each sector represented in the MESA appointed a representative to serve on the Committee.

Professor M.G. Elfer Miranda, the General Coordinator of the Committee, reported the following Committee activities at the January Mesa:

1. Committee members or their designated substitutes have been meeting weekly (Tuesdays) to conduct their business.
2. The Committee selected M.G. Elfer Miranda as the General Coordinator and don Julio Marin as the relator. Ing. Luis Ara Valera will serve as Coordinator in cases where the elected coordinator is unable to be present. The Committee has also prepared a "Libro de Actas".
3. The Committee proposed a second group of 35 participants who will attend a 48-hour conflict resolution workshop entitled, "Skills to Promote Harmony and Consensus". The Committee was also responsible for recruiting the first group of participants who began their conflict resolution training in November 2001.
4. Committee members prepared a draft set of protocols for discussion, revision, and approval by Mesa representatives at the January meeting. The purpose of the protocols is to articulate a set of principles by which "La Mesa de Dialogo y Consenso CAO-Cajamarca" will operate, and to serve as the basis for institutionalization of the Mesa in the future should it be necessary.
5. A list of "Veedores" representing multiple sectors of the community has been prepared by the Committee for discussion at the March 5th Mesa. The role of the "Veedores" is to accompany the team of technical experts who will carry out

a study of water quality and quantity according to the terms of reference agreed to in the October and November dialogue meetings.

6. The draft agenda for the January Mesa was prepared by the Committee.

## **Independent Water Study**

### Team Background and Experience

Ms. Rachel Kyte, Senior Specialist for the CAO, introduced the team of water experts who had been contracted by the CAO to develop a statement of work based on an initial assessment visit to Cajamarca. Ms. Kyte's opening remarks indicated that the CAO had looked world-wide for a team of water experts with the breadth and depth of knowledge that would qualify them to do work in this area. She also noted that it was important to for the objectivity and independence of the study to engage a consulting team without ties to the World Bank, the government of Peru, the community of Cajamarca, or other shareholders in the mine. The goal of their initial visit to Cajamarca was to put details to the work that needs to be done; to meet representatives from Minera Yanacocha and the community; to hear the specific concerns of the stakeholders and to give the community and the mine an opportunity to get to know the team. Ms. Kyte added that it was important that each sector share in a level of comfort that this team can do the job. Equally important was the need to assure that the process is transparent and in that spirit, Ms. Kyte invited the team to introduce themselves and describe something about their background and experience. Mesa participants were also invited to ask questions of the team and express any concerns they had.

Dr. Josh Lipton briefly introduced the team members from Stratus Consulting: Dr. Ann Maest, Mr. David Atkins, and Ms. Kate LeJeune. In his opening remarks, Dr. Lipton stated that the study will proceed according to the Terms of Reference document prepared by the CAO and approved by the Mesa. Dr. Lipton stressed that, as scientists the team will follow a specific scientific process and will not reach decisions without looking at the mine itself, the water in the area, and without hearing concerns from the community. Following their January site visit, the team will develop a detailed plan for the study or statement of work. The plan includes collecting environmental samples from the area. By measuring the chemistry of the samples in a laboratory, the team will develop information that will be used in reaching conclusions. The team will also use information collected by others. Dr. Lipton emphasized that the team will not form opinions until after they have considered all the information. As a final product of the study, all the data and information, conclusions and reasons behind them will be put into a report to which all will have access.

Dr. Lipton is the CEO for Stratus Consulting and a scientist. His scientific expertise includes environmental toxicology, fish, ecology, natural resources investigations, and environmental chemistry. He has conducted research in environmental science and has done many investigations at mining sites. He has a BA in Ecology, an MS in Fisheries and a PhD in toxicology. He remarked that Stratus Consulting has no contracts or financial arrangements with the mine, the community, the World Bank or IFC. His consulting firm has worked primarily for government agencies in the U.S. and abroad.

Dr. Ann Maest is a geo-chemist with expertise in the behavior of pollutants in ground and surface water and sediment. She holds a BA in geology, an MA in geochemistry and sedimentology and a PhD in geochemistry and water resources. At Stratus Consulting,

Dr. Maest is responsible for designing, conducting and managing groundwater and surface water studies at mining and other sites. In her work as a consultant, she has studied the effects of mining on water quality, designed and conducted sampling plans to look at possible effects of mining on soils and water. She has conducted studies in both the Western U.S. and Peru.

Mr. David Atkins is a scientist and hydrologist specializing in the environmental effects of mining on the environment, including water quality and quantity effects from mining. His technical expertise includes surface and ground water hydrology, movement of sediment in streams, acid mine drainage, and mining impacts assessment. He holds a BS in physics and mathematics, a MS in physics and another MS in water resources and environmental engineering.

Ms. Kate LeJeune is an ecologist and scientist specializing in the effects of pollution on soils, plants, and terrestrial organisms. She holds a BA and an MS in environmental sciences and is a PhD candidate in Environmental Biology.

### Question and Answer Session

Following the introduction of the water expert team, participants were asked to work in small groups at their tables and develop two questions per table for the water team's response. Each table appointed a facilitator and recorder who had been trained in consensus building skills to focus the discussion of the small groups.

A summary of questions presented to the water expert team appears below, along with their response.

1. *There is concern that the mine will direct the team to sample areas where there is no contamination. How will you address this issue?*

We will speak with the community, understand the locations and the points where people have concerns so that a study plan may be developed. In developing the study plan, it will be important to consider how and where the water moves. Understanding where and how the water moves will be critical to the design of the study.

2. *How will you obtain baseline information for purposes of comparison?*

Three possibilities exist:

- a. If samples were taken in the rivers before the mine's existence, we can look at these and compare them to the current situation.
- b. We can take samples upstream of the mine's activities if the water resource is present in an upstream location.
- c. If there are areas similar in geology and minerals that have not been mined, we could utilize data from these areas as a baseline.

3. *How will you go about designing the study? How many visits will you make? What will be the study's product?*

The process of designing a study is iterative and will involve consulting with the mine, SEDACAJ, the community, etc. Lots of you have valuable data, experience

and historical perspective to offer. Our current contract with the CAO following this week's assessment trip is to prepare a statement of work that outlines in some detail the steps that will be needed to conduct the study. This statement of work will be presented to the CAO for their approval and to the Mesa at the March meeting to ensure understanding of the approach, to clarify questions, etc.

It is too early to know exactly how many visits will be needed. It will depend upon the complexity of the work. A system of "veedores" will be used to accompany the expert team on their sampling trips.

When the study is completed, we will produce a report that we will submit to the CAO. We will be sure that the study has met the terms of reference and that it is written in plain language. The report will be circulated to the Mesa for a comment period to obtain comments, questions of clarification and concerns. After the comment period we will give you a final report which belongs to you with the CAO's seal of approval, endorsing it as a legitimate piece of work. What you decide to do regarding the report and how you want to use it will be a discussion you will need to have at a future Mesa meeting.

4. *How long will the study take to complete?*

We recognize the length of time for the study is of concern to members of the Mesa. Our commitment is to complete the study as quickly as possible without compromising the quality of the work. We will have a better idea of the time frame once we have prepared the statement of work and we will communicate this to you.

5. *How will you select the laboratory?*

We will choose a laboratory that is independent and that can provide the highest quality information using the right technical methods for our samples at the highest international standard. Otherwise you won't have confidence in the results. We don't know whether we will use laboratories in Peru or elsewhere. We don't know about the quality of service provided by Peruvian laboratories nor are we certain how people perceive labs in Peru. What is important is that the labs meet these standards.

6. *What process will be used to get at water quality and quantity?*

In assessing water quality and quantity it will be important to consider several aspects:

- a. data that already exists
- b. concerns people have about the environment
- c. the development of a water sampling plan that makes sense
- d. international standards related to water quality

We are here this week to assess the situation so that we can begin to fill in the specifics and details of the study.

7. *Will the study focus on effects of future mining activities?*

Our terms of reference are to evaluate the effects of current and past activities at the mine on water quality and quantity. This is not a water study in preparation for the possible exploitation of Quilish. We will look at the present situation as it relates to water quality and quantity and the extent to which the study can identify trends, we might be able to extrapolate out what future situations may be. However, this study is not intended to be an EIS (environmental impact statement) on Quilish. The study is about determining what the current situation is and what, if any, impact the mine has had on water quality and quantity. The study needs to shed light on what the situation is today so we understand the tendencies and you can use the conclusions as a Mesa and as a community to determine a direction.

Federico Schwalb from Minera Yanacocha again stressed the fact that the water study is not an EIS. He emphasized that it is necessary to conduct an EIS on Quilish with data, a baseline, mitigation strategies, etc. However the water study and the EIS for Quilish are two very separate studies.

8. *Will the study look at all aspects of the environment and all areas? Is it intended to be an overall general environmental study?*

Our understanding according to the Terms of Reference is that the study is intended to look at water quality and quantity. When we referred to broader environmental aspects we did so because we believe that to understand quality of water we need to understand something about the relationship between the water and the life supported by the water. We are not suggesting we conduct an environmental study of the whole Cajamarca region; however, it is important to understand the quality of water and the relationship between the water and how it supports life. Otherwise, the study will only be numbers on a page with no context.

9. *Will the study look at the issue of cyanide?*

The terms of reference do not include air. It will not be in our study plan to look at effects of cyanide in air. We will look at cyanide in water. To do so we will:

- a. Consider where the water flows
- b. Measure whether the water contains cyanide and determine if it is of concern in that water.

9. *How will the water study be funded and transparency assured?*

The CAO has prepared a budget for the water expert team's work and will approach the shareholders of Minera Yanacocha for financing in the same way that the Independent Commission, tasked with the investigation of the mercury spill, was transparently financed. The funds for the team's work will be placed into a special account in the name of the CAO. Only the CAO will have access to these funds and authority to disperse them. The CAO will publish an accounting of the funds dispersed. Any remaining funds at the end of the team's work will be reimbursed to those that made contributions. The intent of the funding approach is to have transparency and an easy process to manage.



In addition, the water expert team stated they would be pleased to have local professionals and others observe their work and could provide some basic training on water quality and quantity issues if that is what the Mesa wants.

*10. We know the work at the mine is proceeding slowly right now. When the work goes faster how will we know whether the water quality and quantity have been affected?*

The water study that will be conducted is a snap shot of the current situation. Perhaps it would be possible to develop a training program and some kind of community monitoring plan in the future between the mine and the community to address ongoing issues related to water. We should think about how to develop a study to aid you now and in the future.

*11. Will the study be peer reviewed?*

The study will be peer reviewed after it is completed but before it is published by the CAO. Peer review means that a reviewer with similar technical expertise reviews the report for technical consistency and credibility.

### Doubts and Concerns

Participants were asked to raise any doubts or concerns they had about the team's qualifications, their ability to be neutral, any concerns related to the study process, etc.

Several members raised the issue of the time frame. They expressed the need to complete the study within a reasonable period of time and strongly advised against drawing out the study over years.

Bill Zisch from Minera Yanacocha shared the mine's concerns with the group and requested a response from the consulting team to the third and fourth questions.

*1. The study appears to be more focused on research than on assessment. Research can take a very long time. We as a Mesa want an assessment and a conclusion.*

Dr. Josh Lipton responded, "Our work plan is to begin a study and we don't want to be here for two years waiting for results. We understand the idea is not to study this forever. We understand the objective of the study is to answer the questions and concerns you as a Mesa have, not to do more doctoral research studies. We talked before about seasonal variability and this may be why Minera Yanacocha is concerned about the duration of the study. We hope there is data now we can use to answer seasonal questions. The first thing we will do is look at existing data. This is an open process we can look at as we go along. We want to do what we need to do to get answers. Scientifically defensible information that exists will reduce the length of time the study will take. The rainy/dry seasonal transition is something we want to know more about. We don't want to leave it out because we may be losing something if we do."

*2. Transparency—we understand that the water expert team is from Boulder, Colorado. Boulder is near Newmont's corporate headquarters located in Denver, Colorado. While this is not an issue for Minera Yanacocha, we wanted to make sure it is not an issue for the Mesa.*

3. *Given that Stratus Consulting's primary work has not been directly supportive of mining and that Stratus said they might have an eco-bias, a reasonable concern we want to raise is how can we be assured of objectivity?*

Josh Lipton responded, "I don't believe we have addressed the question of whether we are supportive or not (of mining). We look at data and reach conclusions. We have no position about whether Minera Yanacocha should be here or should not be here and this may make some of you unhappy."

"We will look at the data, tell you what it means and then it is up to you to decide how to proceed."

"We don't believe we have this eco-bias. I raised with Yanacocha that they might be concerned (have this concern)."

"We will fairly look at this mine. We will report on what the data and information say and nothing more. We will use our training as scientists and not bring into our work any bias about any side of this argument."

4. *Conflict of interest—There is a concern from Newmont that currently Stratus Consulting is involved in participating in a process regarding a property in Colorado in which Newmont has an interest. Stratus is representing the State of Colorado as an independent third party.*

- a. *Our first concern, does Stratus feel it represents a conflict of interest?*

Josh Lipton replied that Stratus's work for the State of Colorado involves providing a small amount of technical advice. The state government asked for peer review assistance. During the time of the study, Dr. Lipton stated that Stratus would not work with them on matters related to Newmont. He added, "Were there any conflict of interest, I would have told you before now and I would tell you now. Credibility and our work as scientists is as important to us as to you. We can't do things that will compromise our credibility. We are not worried that our objectivity would be a problem. As head of the company I would take any step to avoid entering into a process where our scientific credibility would be at risk. It is very important."

- b. *If that current situation were to change and become a court proceeding, would you see it as a conflict (of interest)?*

Dr. Lipton stated, "If we concluded there was a conflict we would withdraw from the other process so this process can take place."

Bill Zisch stated, "we wanted to share this with the table so they understand our interest and concerns." Josh Lipton added, "We're building credibility here. This is very important."

## Water Assessment Study Next Steps

The water expert team anticipates the following sequence of activities as their next steps:

1. Complete a site visit whose objectives are to:
  - Meet with participants of the Mesa, including citizens groups, NGO representatives, mine personnel and management, and government representatives.
  - Tour the mine site and observe mine operations
  - View off-site water resources that are reportedly affected by mining activity.
  - Observe ecological features such as areas where the native flora and fauna have reportedly been damaged.

A tentative schedule of site visits and meetings is attached in the appendix.

2. Prepare a draft Statement of Work that describes the specific objectives of the study, activities to be performed, and an initial assessment of the geographic and temporal extent of the study. The team hopes to present the Statement of Work to the Mesa at their March 5<sup>th</sup> meeting.
3. Obtain and perform a detailed review of existing data, maps, studies, reports, and other information potentially relevant to understanding potential water quality/quantity issues at the site.
4. Prepare a Sampling and Analysis Plan. Present it to the Mesa, receive comments and revise the plan prior to initiating sampling.

## **Mesa Protocols**

The Coordinating Committee prepared a draft set of protocols that outlines the mission and objectives of the Mesa, how the Mesa will be organized and how members of the Mesa will work together. The document contains the following components:

- Statement of purpose/mission
- Objectives of the Mesa
- Role of the representatives and the plenary
- Role of the Coordinating Committee
- Role of work groups
- Role of the facilitators
- Observer guidelines
- Behavioral guidelines
- Decision-making procedures for the dialogue
- Training of representatives

The draft was submitted to the Mesa. An energetic discussion ensued during which members proposed several changes to the document. The revised protocol was approved at the January 29, 2002 meeting of the Mesa. The document will be distributed to participating institutions and signed by each institution's representatives.



### **III. CONFLICT RESOLUTION CAPACITY BUILDING: TRAINING DIALOGUE PARTICIPANTS IN SKILLS AND APPROACHES FOR PROMOTING HARMONY AND CONSENSUS**

#### **Workshop Session II: Promoting Harmony and Consensus**

On January 19-20, a group of approximately 30 participants who had attended the first conflict resolution workshop last November, reconvened for the second 16-hour session of the training program. This workshop, building on skills and concepts introduced earlier, explored collaborative problem-solving approaches, active listening and effective communication, and applied conflict resolution skills and practices to a multiparty, environmental negotiation case.

The workshop opened energetically with a flood of testimonials by participants who shared their personal stories about how they put into practice various skills and techniques from the November program to resolve conflicts encountered in their daily lives.

Using icebergs and mini-cases, the CAO facilitators further expanded people's understanding of interests and positions and launched into a lively discussion about creative brainstorming and how the technique can be used to discover options that satisfy many diverse interests and needs.

A spirited group activity underscored several pitfalls to avoid in effective communication such as rumors, distortions, incomplete information, ambiguity, etc., and highlighted several current examples in Cajamarca fraught with communication obstacles. The workshop finale featured a multi-party environmental role-play. In a fish bowl format, negotiators represented the interests of ecological groups, hotel owners, agricultural groups, sporting clubs and industry. They practiced communication skills, defined issues to be solved, identified their interests, utilized behaviors to improve working relationships, de-escalated conflict and fought the urge to rush to solutions before fully grasping the critical concerns and needs of others. The facilitators utilized a stop-action approach to enable the parties to obtain advice and strategy assistance from their colleagues and to assess their effectiveness as negotiators.

The same case will form the basis for one of the skill practice sessions in the upcoming February workshop whose objective is to explore the role of third parties in promoting harmony and consensus.

In the closing activity, CAO facilitators joined with participants to form a circle. In its center, the facilitators encouraged people to imagine a large, straw, hand-woven basket, packed with the experiences, feelings and values shared by participants during the two-day workshop. Each individual was invited to step into the center and express what quality or feeling they wished to leave in the basket as well as something of value to take as a support or positive force to accompany them in their lives outside. Examples: " I take away happiness and leave tolerance; I take away patience and leave work. I take away friendship and leave myself."

## **Workshop Session I: Promoting Harmony and Consensus**

A second group of approximately 30 trainees attended the first of three 16-hour conflict resolution training sessions, January 26-27, 2002. Participants representing each of the sectors participating in the Mesa were selected and invited to the training by the Coordinating Committee. A detailed description of the objectives, activities and training modules appears in the CAO report of December 2001.

Based on the observations and suggestions provided by the monitoring group and Project Underground in November, several changes were made to part I of the workshop series.

1. Two trainers working together with the group allowed an even deeper exploration of the rich group dynamics and experiential learning that evolved during each of the simulations, cases and games. In addition, the trainers were able to give more focused attention and customize the training modules and discussion more carefully to the different levels of experience and preparation brought to the workshop by each of the participants.
2. Trainers made the workshop more elicitive, and increased the level of interaction, activity and movement among participants. This resulted in increased knowledge and understanding of concepts, as well as an enhanced ability by individuals to adapt to interpersonal conflict situations.
3. The facilitators tried to pay particular attention to the cultural and social characteristics of a diverse audience in their response to conflict. For example, the trainers asked participants to work in small groups and identify popular proverbs and sayings from their backgrounds that illustrate attitudes people bring to conflict situations. Out of this activity emerged a variety of sayings that represent the five attitudes, styles or strategies of people in conflict:

Competitive—"Golpe dado nadie te lo quita"

Give in or give up—"Dejar hacer, dejar pasar y sin problemas estar"

Avoid—"No muevas el panal si quieres que las abejas no te piquen"

Compromise—"Favor con favor se paga"

Collaborative—"Dos cabezas pinsan mejor que una" y "Quien bien siembra, bien cosecha"

4. During the negotiation practice module, participants were given an opportunity to change roles from that of a party to that of the observer. After each round of negotiation observers became parties and were challenged to improve upon the agreement reached by previous negotiators.

At the conclusion of the session participants were asked to describe their feelings and insights they had gained. Sample responses appear below:

### How Do You Feel:

- Happy
- Inspired
- Receptive

- Calm
- Pleased
- Cooperative

*What Insights did you Gain:*

- How to relate to colleagues from other institutions who have opposing interests from mine yet still be able to discuss and exchange experiences
- How to learn while playing
- How to work on the basis of interests and needs instead of positions
- How to effectively communicate with another individual who has a different vision from mine

At the conclusion of the two days, each participant took a formal oath. With one hand supported on the shoulder of another colleague, each participant made a public commitment to apply and utilize the skills, techniques and insights from the workshop in their dealings with those in their own organizations, others from different institutions and their families.

Two more 16-hour sessions are planned for this group.

#### **IV. THE COORDINATING COMMITTEE**

The Coordinating Committee has played an active and key leadership role in the work and development of the Mesa to date. On February 1, 2002, members of the CAO facilitation team met with the Coordinating Committee subsequent to the January Mesa to discuss their work and plan for the future. The agenda for the meeting included the following points:

- Relationship between the CAO and CTAR Mesas
- Reflections and feedback—January CAO Mesa
- Agenda for the March 5<sup>th</sup> Mesa
- The Future of the CAO Mesa: Creating a dispute resolution system for the long-term
- New institutions at the Mesa
- Mesa logo
- Review of Coordinating Committee's role

The Committee developed several recommendations they will present to the Mesa on March 5<sup>th</sup>.

1. That a document be prepared for the next CTAR Mesa formally introducing the Mesa de Dialogo y Consenso de la CAO-Cajamarca—informing participants who we are, what mission we have, our protocols, our activities to date, and our projects for the future.
2. That the Minera Yanacocha be invited to present what plans for development they are considering for 2002 and what results they are hoping to achieve.
3. That the Mesa be given an opportunity to provide input into the foundation that is currently under discussion with representatives from the mine and others from the community.
4. That the Mesa create a working group on socioeconomic development.

5. That the Mesa discuss a working proposal for a project to strengthen the CAO Mesa and create a sustainable dispute resolution system that opens dialogue, prevents conflict and resolve issues of concern to the mine and the community. The system should have life, “shoulders”, local presence, direction and the confidence of the community and the mine and should contribute to the stability of the community.

## **V. SAN JUAN, CHOROPAMPA and MAGDALENA**

In response to continuing concerns regarding the health situation in the area affected by the mercury spill that occurred on June 2,2000, the CAO has agreed to convene and organize a team of medical experts, with international standing, to conduct a medical review. Unfortunately it is taking significantly longer to find an appropriate group of medical specialists than originally anticipated. The CAO is continuing to look at groups based in universities in North America who have the required standing and expertise.

## **VI. CONCLUSION**

The Mesa de Dialogo y Consenso CAO-Cajamarca has been fortified over the past several months by the work, dedication and commitment of its members. It is beginning to develop an identity and a reputation for being a table that is professional, technical, and results-oriented.

It is clear that people attending the training courses have had a positive impact on the dialogue processes employed at the table. Through their interaction they have demonstrated how seriously they take the training and have effectively applied lessons from the workshops, creating a more open environment, facilitating a good exchange of viewpoints, etc. Part of the idea of training is to help balance the power at the table. It was our observation, as is often true in these cases, that the disparity of exposure, knowledge and experience with negotiation processes requires efforts at building process skills and is often a prerequisite to a fruitful dialogue experience.

It is equally heartening to see the second group of trainees taking shape. They will bring an additional infusion of expertise to the Mesa.

The Coordinating Committee is another positive force in the development of the Mesa. They have been invaluable in the advice, strategy, and wisdom they have provided to the CAO facilitation team. Particularly noteworthy are the draft protocols they worked so diligently to prepare. This document brought the group forward to a stronger level of organization and will help chart a future course for the Mesa. It is rewarding and encouraging to witness such signs of ownership and leadership among the coordinating team. We understand the Committee is even willing to meet during the week of Carnival. We express our appreciation for their help and dedication.

A final observation we would like to offer is to highlight the importance of the exchange that occurred between the group and the water experts during the January Mesa. Reservations were plainly spoken regarding the neutrality of the water team, and the team was subjected, quite appropriately we might add, to a set of insightful and probing questions attesting to their qualifications, ability, experience and objectivity. We look forward to their return at the March Mesa.



## APPENDIX

### DRAFT SCHEDULE FOR SITE VISITS AND MEETINGS FOR TEAM OF WATER EXPERT January 28-February 1, 2002

<b>Monday 1/28</b>	<b>Orientation and Mine Visit</b> <ul style="list-style-type: none"><li>• Provincial Mayor of Cajamarca</li><li>• Team briefing meeting</li><li>• Mine visit</li></ul>
<b>Tuesday 1/29</b>	<b>Dialogue Table and Technical Visits</b> <ul style="list-style-type: none"><li>• Presentation at the Mesa</li><li>• Ministry of Agriculture</li><li>• National University of Cajamarca</li><li>• Valle y Vida</li></ul>
<b>Wednesday 1/30</b>	<b>Visits to NGOs and Community Groups</b> <ul style="list-style-type: none"><li>• ADEFOR (did not respond)</li><li>• CEDEPAS (did not respond)</li><li>• SEDACAJ</li><li>• PRO AGUA</li><li>• Rondas Campesinas</li><li>• ASPADERUC</li></ul>
<b>Thursday 1/31</b>	<b>Visit to Communities and River Basins</b> <ul style="list-style-type: none"><li>• Rio Grande</li><li>• Rio Porcon</li><li>• Porcon Bajo</li><li>• Porcon Alto</li><li>• Granja Porcon</li></ul>
<b>Thursday 2/1</b>	<b>Meetings in Lima</b> <ul style="list-style-type: none"><li>• John Dow, Vice President for Latin America, Newmont Mining Corporation</li><li>• Ministry of Energy and Mines</li></ul>