



Press Release

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Against the Current: Report Reveals Human Rights Violations in the Térraba Territory as a Consequence of the El Diquís Project

Austin, Texas – The Teribe people of the Buenos Aires region of southern Costa Rica confront the largest potential dam of its type in Central America in the midst of human rights violations by the Costa Rican state. Concerns with the El Diquís project stems from a history of policies that have, over the course of decades, assimilated, expropriated, and marginalized Costa Rica's indigenous, now a meager 1% of the total population. With only 750 inhabitants, the Teribe people have already lost 90% of their land to non-indigenous hands. The installation of the El Diquís project, a mere five kilometers from the community, will flood 658 hectares, approximately 10% of their remaining land.

These are some of the conclusions reached by the Human Rights Clinic at the University of Texas at Austin School of Law in its report “Swimming Against the Current: The Teribe People and the El Diquís Hydroelectric Project in Costa Rica.” The report highlights such violations as emblematic of the structural problems confronting indigenous peoples and reflected in Costa Rican law and politics.

Costa Rica has not included the Teribe people in the decision-making process surrounding the development of the El Diquís project and has neglected to gain their free, prior, and informed consent as required by the international human rights laws that Costa Rica has endorsed.

In the report, released simultaneously in San José, Costa Rica and Austin, Texas, the Clinic has indicated that while the Costa Rican Institute of Electricity (ICE) maintains that it is carrying out no more than feasibility studies, daily convoys of heavy machinery carrying the ICE logo are working to widen roads and, among other advancements, have begun blasting with dynamite in local mountains. The Human Rights Clinic criticizes ICE for claiming to be undertaking feasibility studies and for having proclaimed an interest in consulting with the community at a time that has yet to be defined. The clinic concludes that “waiting until the completion of feasibility studies would be tantamount to denying the right of indigenous people to give their free, prior, and informed consent in large projects such as El Diquís.”

As the report indicates, so long as ICE continues to advance its preliminary studies on the El Diquís project, Costa Rica will be responsible for a violation of the human rights of indigenous peoples. In addition, without adequate institutional reform and changes to legislation, the Costa Rican will blatantly continue to violate its international obligations. A delegation from the Human Rights Clinic is currently in Costa Rica presenting its report and meeting with various government representatives.

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The Human Rights Clinic is part of the University of Texas School of Law. In the Clinic, an interdisciplinary group of law students and graduate students work under the supervision of Clinic Director Ariel Dulitzky, on human rights projects through fact finding, reporting and other public advocacy. The Clinic is involved in a multitude of activities including supporting advocacy in domestic and international fora; investigating and documenting human rights violations; and engaging with global and local human rights campaigns.