

# ***MESOAMERICA***

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## **COSTA RICA**

### **Southern Zone Fish Farm Approved**

The Costa Rican government gave its final approval on June 23 for the construction of the world's first yellowfin tuna farm, to be built off the southern Pacific coast, clearing the way for the project despite protests from community groups, environmental groups, local fishing associations and others.

Not to be ignored, opponents of the fish farm joined together to file suit a week later with the Costa Rican Environment and Energy Ministry (MINAE) and the Constitutional Chamber of the Supreme Court (Sala IV), saying that local groups were left out of the process, important risks were excluded from the environmental-impact studies and the fish farm poses grave, irreversible danger to the environment.

The fish farm is the project of Granjas Atuneras de Golfito S.A., a Costa Rican company backed with Venezuelan and Spanish money that assures the public that its project poses no serious threat to the ocean and the life that teems within.

The farm would be made up of 10 enormous net cages that measure 20 meters deep and 50 meters across floating in the ocean 2.8 kilometers off the southern Pacific coast of Costa Rica. Each cage would house 120 tons of tuna, which at first would be caught wild and fattened up for export, but eventually the company would start breeding its own tuna.

The company's representative in Costa Rica, Peruvian fisheries expert Eduardo Valverde, says the fish farm poses an opportunity to help bolster the rapidly diminishing fish population around the world and assist fishers whose activities have been curbed due to conservation efforts.

According to Valverde, Costa Rica's coastal waters are prime for various fish farming operations, which could produce fish for export, meaning less wild fish would be taken from the ocean and Costa Rica would have a new source of income. In addition, he says, corvine (sea bass), snapper and tuna could be farmed near the Santa Rosa National Park, in the Pacific waters of the Gulf of Nicoya, and near the

Cahuita National Park, on the southern Caribbean coast. This would give the fishermen who cannot fish in the protected waters an alternative, yet familiar, livelihood, he says.

Many, however, are not wooed by the promises of financial gain and environmental safety. Ten organizations—including the private, nonprofit Marine Turtle Restoration Program (PRETOMA), Fundación Vida Marina, the Marina Bahía Banano, the Golfito Eco-Tourism Chamber and the Playa Zancudo Association of Artisan Fishers, among others—have filed a suit with MINAE’s Environmental Tribunal and have asked MINAE to nullify all permits given to the company and halt all project activities until the tribunal resolves the case. The group’s other suit, with Sala IV, was accepted by the court for judicial review.

The opponents also came together to protest the approval of the fish farm, marching with banners at the Parque Nacional in downtown San José on 11 July.

According to the opponents, the fish farm “would further the industrialization and destruction of the region, which is currently famous for its pristine environment.” Environmentalists say that the cages would pose dangers to dolphins in the area, to sea turtles swimming towards shore to lay their eggs and to baby turtles swimming out to sea once hatched. Furthermore, they question the effect of the waste that 1,200 tons of tuna fish, concentrated in a small area, would produce.

The fish farm project received approval of its environmental impact study from MINAE’s Technical Secretariat, as well as approval from MINAE’s Water Department, but opponents allege the environmental impact report is “full of holes” and leaves out important environmental risks.

### **Harken Continues Its Fight**

In the latest chapter of Costa Rican oil exploration, the company Harken Costa Rica Holdings’ attempts to recover what it says are millions of dollars in damages that resulted from the Costa Rican government’s cancellation of an oil exploration contract, the company has requested \$13 million in an arbitration before the Costa Rican Chamber of Commerce.

The Costa Rican government, however, dismisses the arbitration and Environment and Energy Minister Roberto Dobles says the company will get no money from Costa Rica.

Harken was originally awarded a contract to explore and extract oil offshore from the Caribbean port city of Limón, under the administration of former president Miguel Ángel Rodríguez (’98-’02). However, after former president Abel Pacheco took office in ’02, he issued a moratorium on all future oil exploration or extraction and on open pit mining. He excluded Harken’s project, however, and heated protests ensued. Not long after, the Technical Secretariat (SETENA) of Costa Rican Ministry of Environment and Energy (MINAE) rescinded the contract. According to SETENA, Harken had not complied with the environmental-impact study requirements, which the government said was grounds for termination of the contract.

Harken responded to the termination by filing for an international arbitration, where it demanded \$57 billion, which was four times the Costa Rican gross domestic product at the time. Harken withdrew its suit and began direct negotiations with the Costa Rican government in Jan ’04, which went nowhere.

Harken representative Brent Aberdie then took his fight to the Chamber of Commerce's arbitration center in March, claiming the \$13 million is to compensate Harken for money lost in seismic and geological testing. Pacheco's administration, however, calculated those costs at \$3 million. The current government has rejected the process before the Chamber of Commerce's arbitration center.

### **President Arias Meets with the Pope**

Costa Rican President Oscar Arias traveled to the Vatican City on 16 June for a private meeting with Pope Benedict XVI and to meet with other Church officials. Later he visited the crypt of St. Peter's Basilica to pray at the tomb of Pope John Paul II.

Among other things, Arias told Pope Benedict that he supported contraceptive use as a way to combat sexually transmitted diseases and overpopulation. The Catholic Church has long and vocally opposed contraception in any form.

Arias also broached the subject of free trade with the Vatican Secretary of State, Cardinal Angelo Sodano. According to President Arias, Sodano also supports free trade—in theory—and offered to send a letter to church representatives in Costa Rica, who so far have been hesitant in supporting it. Arias, upon arrival in Costa Rica, insisted that he did not ask Sodano to write the letter, but told the Vatican Secretary of State that “it would also help if he picked up the phone and talked to our bishops.”

The Catholic leadership in Costa Rica has expressed reservations about the Dominican Republic-Central American Free Trade Agreement with the US (DR-CAFTA) on the grounds that it may not be good for all sectors of Costa Rican society, such as agricultural workers and the poor.

Costa Rica is the only one of the seven signatory countries that has not ratified the trade agreement, which it has signed. DR-CAFTA faces strong opposition in Costa Rica, but Arias has said he hopes to get it ratified in the Legislative Assembly in the coming months.

Arias emphasized that Vatican officials did not say whether they specifically supported DR-CAFTA or free trade in general.

However, the position taken by Sodano caused Catholic Church officials in Costa Rica to clarify their position on the matter in a letter sent to Sodano. Hugo Barrantes, the Archbishop of San José, said that Church leaders in Costa Rica have taken a “position of respect” in view of DR-CAFTA, and not a “yes or no response.”

In the letter to Sodano, Costa Rica's Episcopal Conference emphasized that a complementary agenda—a set of laws and government actions that would support sectors the adversely affected by the agreement—is necessary for Costa Rica's well-being if DR-CAFTA is passed. If it is not passed, they said, Costa Rica should take alternate measures.

Sodano responded to the letter from the Costa Rican Episcopal Conference, saying he supported their approach to discussing the relative merits of the free-trade agreement.

*—Leland Baxter-Neal*