

Con derecho al ambiente



**PARALLEL REPORT TO THE UNITED NATIONS  
COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN**

**CHILE, 89th Session**

***Submitted by:***

*Global Initiative for Economic, Social, and Cultural Rights (GI-ESCR)*

*FIMA NGO (Chile)*

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The present submission by the Global Initiative for Economic, Social and Cultural Rights (GI-ESCR) and FIMA NGO (Chile) is based on the results of a participatory action research project conducted in collaboration with a group of women human rights defenders from the Antofagasta and Atacama regions in Chile. This submission seeks to amplify women's testimonies, experiences, challenges, and perspectives in areas affected by critical mineral extractive industries, specifically lithium mining, and bring their voices to the Committee members.

The submission is divided into the following sections:

- I. Introduction;
- II. Impacts on the Right to a Clean, Healthy, and Sustainable Environment;
- III. Impacts on the Rights to Food, Water, Land, Territories and Natural Resources;
- IV. Impacts on the Right to Health;
- V. Impacts on Cultural Rights;
- VI. Impacts on Labour Rights;
- VII. Impacts on the Right to Participation;
- VIII. Recommendations.

## I. Introduction

According to the Intergovernmental Panel on Climate Change (IPCC), to avoid the worst consequences of the climate emergency, **it is necessary to reduce greenhouse gas (GHG) emissions** by 45% by 2030 and continue reducing them at an accelerated pace to **achieve 'net zero' emissions by the middle of this century.**<sup>1</sup> Thus, **there is a need for a profound transformation** of a significant part of the global economy, **aiming to decarbonise** production systems and comply with the temperature rise limits imposed by climate science and recognised in the Paris Agreement.

**In this context, critical minerals**, also known as transition minerals, **are at the centre of the discussion.** The transformation proposed towards **low-carbon energy systems relies on using these transition minerals**, which are essential in energy production, transmission, distribution, and storage (*e.g.*, in the industrial generation of batteries, solar panels, turbines, and electric vehicles for electromobility). This demand has made transition minerals, such as lithium, cobalt, nickel, rare earth elements, and others, acquire a very high strategic and geopolitical value worldwide.<sup>2</sup>

**This growing demand has triggered an international geopolitical race for access to and control of these mineral deposits and a new wave of extractivism** in countries **where these natural resources are concentrated, many of which are in Indigenous territories** and areas inhabited by **rural communities** in the Global South. In fact, according to some estimates, approximately 54% of transition mineral projects are located on or near Indigenous lands.<sup>3</sup> This situation means that the **exploration and exploitation of critical minerals pose significant challenges and potential socio-environmental risks** for the countries and territories where these transition minerals are found.

In practice, **the extraction of transition minerals causes significantly adverse impacts on local ecosystems and the communities** and populations inhabiting the territories affected by mining activities. **Mining often creates so-called "sacrifice zones"** — environmentally devastated areas with high levels of inequality and social conflicts generated by extractive activities located adjacent to and near population centres.<sup>4</sup> In these territories, **local populations, who are usually the least responsible for contributing to**

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<sup>1</sup> Intergovernmental Panel on Climate Change (IPCC). (2019). "Special Report. Global Warming of 1.5 °C. Summary for Policymakers". <https://www.ipcc.ch/sr15/>

<sup>2</sup> The World Bank and the International Energy Agency have identified at least 24 minerals that will be used in different energy transition technologies, including solar photovoltaic, wind, geothermal, hydroelectric, and energy storage and transmission. See: World Bank Group (WBG). World Bank Group, "Minerals for Climate Action: The Mineral Intensity of the Clean Energy Transition", 2020, <https://pubdocs.worldbank.org/en/961711588875536384/Minerals-for-Climate-Action-The-Mineral-Intensity-of-the-Clean-Energy-Transition.pdf>; International Energy Agency (IEA), "The Role of Critical World Energy Outlook Special Report Minerals in Clean Energy Transitions", 2022, <https://iea.blob.core.windows.net/assets/ffd2a83b-8c30-4e9d-980a-52b6d9a86fdc/TheRoleofCriticalMineralsinCleanEnergyTransitions.pdf>.

<sup>3</sup> Owen, J.R.; Kemp, D., Lechner, A.M. et al. Energy transition minerals and their intersection with land-connected peoples. *Nat Sustain* 6, 203–211 (2023). <https://doi.org/10.1038/s41893-022-00994-6>

<sup>4</sup> Zografos, C. y Robbins, P., "Green Sacrifice Zones, Or Why A Green New Deal Cannot Ignore The Cost Shifts Of Just Transitions", *One Earth* 3, n.o 5 (1 de noviembre de 2020): 543-46, <https://doi.org/10.1016/j.oneear.2020.10.012>.

**the climate crisis, disproportionately suffer from the extractive activities of transition minerals**, which often lead to dispossession and the emergence of severe socio-environmental conflicts.<sup>5</sup>

**While the energy transition is crucial to addressing the climate emergency, it must not come at the expense of human rights.** The energy transition must be implemented in such a way that both addresses the climate emergency and prioritises compliance with human rights standards. Conceiving alternatives to the current energy model to achieve the decarbonisation of energy systems is not an easy task. However, **it is essential to move towards a mineral use model that promotes fairer societies**, which tend towards gender equality and **harmony with nature**. Alternatives to the hegemonic energy transition model must comply with human rights and the protection of the environment.

The following sections contain an analysis of how lithium exploration and exploitation in Chile impacts women's rights. The assessment is based on the testimonies of ten women inhabitants of the regions of Antofagasta and Atacama, mostly belonging to Indigenous communities, activists and human rights defenders covering the implications of lithium mining on a series of rights recognised under the Convention on the Elimination of All Forms of Discrimination Against Women (hereinafter, the Convention).

## **II. Impacts on the Right to a Clean, Healthy, and Sustainable Environment;**

The CEDAW Committee has interpreted articles 12 and 14 of the Convention as **recognising the right to a clean, healthy, and sustainable environment**.<sup>6</sup> The substantive elements of this right encompass a safe and stable climate; safe and adequate food and water; healthy ecosystems and biodiversity; a non-toxic environment; participation; access to information; and access to justice in environmental matters.<sup>7</sup> **Indigenous women's deep connection to their environment, lands, territories, and natural resources is threatened by human activities such as pollution, contamination, deforestation, fossil fuel combustion, and biodiversity loss.**<sup>8</sup>

**According to the women's testimonies,**<sup>9</sup> **lithium extraction is carried out through a process that entails significant environmental impacts.** This includes substantial water loss, salinisation of freshwater sources, and lowering of the water table, which poses a significant threat to the delicate high Andean wetlands, both now and in the future. **The degradation of these ecosystems negatively affects grazing and farming areas and critical water sources** for household consumption, as well as having impacts on fauna, flora, and the landscape.

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<sup>5</sup> See the 'Global Atlas of Environmental Justice' that maps conflicts related to mining activities <https://ejatlas.org/featured/mining-latam>.

<sup>6</sup> Ibid. ¶160.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> According to the testimonies of ten women inhabitants of the regions of Antofagasta and Atacama, mostly belonging to Indigenous communities, activists and human rights defenders that took part in a participatory action research project conducted in 2023. See FIMA & GIESCR. (2024). [Critical Minerals and Gender Equality: The Voices of the Women of Antofagasta and Atacama](#).

These **environmental effects mean greater difficulties in accessing food resources, water, firewood, and other materials necessary for domestic and caregiving tasks**, according to women's testimonies. Often, this means having to travel longer distances to obtain these natural resources or investing more time and effort in obtaining them. One woman shared that she has noticed that drought in her territory has led to the drying up of areas that were previously agricultural and other natural zones where they traditionally gather medicinal herbs and food.

**Women shared that lithium mining results in the gradual degradation of high Andean wetlands and other ecosystems that host flora and fauna, which not only play a fundamental role in sustaining the life of local communities and women but are also essential for preserving ecological balance.** Some native species of salt flats, such as the three unique flamingo species that inhabit the Atacama Salt Flat, among others, experience habitat loss due to the gradual degradation caused by the lithium industry.

In this regard, **the destruction of the local ecosystem and unequal access to natural resources disproportionately affect women's right to a clean, healthy, and sustainable environment.** Thus, to comply with its obligations under the Convention, the State must address the effects of lithium mining on these rights.

### **III. Impacts on the Rights to Food, Water, Land, Territories and Natural Resources**

The CEDAW Committee has understood that, **under articles 12 and 14 of the Convention, there is a recognition of the rights to food and water.**<sup>10</sup> Indigenous women and girls play a crucial role in their communities by ensuring access to food, water, and various forms of livelihood and survival.<sup>11</sup> However, the loss of their lands, forced displacement, and the lack of recognition of Indigenous land rights restrict their ability to secure food and water and effectively manage these vital resources.<sup>12</sup>

**Similarly, under articles 13 and 14, there is a recognition of the rights to land, territories and natural resources.**<sup>13</sup> **Land and territories are fundamental to the identity, perspectives, livelihoods, culture, and spirit of Indigenous women and girls.**<sup>14</sup> Their lives, well-being, cultural practices, and survival are deeply connected to their ability to use and enjoy their lands, territories, and natural resources.<sup>15</sup>

The women from the Chilean regions of Antofagasta and Atacama highlight that **lithium extraction entails substantial water loss, salinisation of freshwater sources, and**

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<sup>10</sup> Committee on the Elimination of Discrimination Against Women. 2022. General Recommendation No. 39 on the Rights of Indigenous Women and Girls. ¶58.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid. ¶56.

<sup>14</sup> Ibid. ¶56.

<sup>15</sup> Ibid. ¶56.

**lowering of the water table.**<sup>16</sup> Women residing in these areas indicated that **lithium extraction activities deplete the scarce available aquifers and pose the risk of contaminating water wells used for human consumption.** The women feared using water sources for domestic and caregiving tasks, citing the lack of adequate monitoring and evaluation mechanisms to ensure their potability.

Moreover, the women shared that the **lithium industry generates tensions between communities and mining companies over the control and access to the limited water sources in the Antofagasta region, where water resources are already scarce.** For example, it has been reported that in areas where mining and tourism are developed, **access to potable water services is generally guaranteed, while local communities face disconnections and service cuts, as well as droughts and possible contamination of their local water sources.** Therefore, women, who usually manage water use in households, often have to rely on tanker trucks to ensure a supply of potable water in their homes, incurring additional costs that not all women can afford, further exacerbating conditions of marginalisation and poverty.

Furthermore, **women in these regions rely on subsistence and small-scale agriculture as an economic activity and for food provision.** However, **the lack of water and water stress** caused by lithium mining **jeopardises these activities**, which are **fundamental to their food security and that of their families**, as well as to the protection of their right to food.

Moreover, the women stated that **lithium mining projects tend to use large areas of land for their activities.** For women living in these regions, this often results in the **loss of access to land and natural resources, which hinders their ability to engage in traditional activities**, such as free-range livestock grazing, and contributes to the depletion of water sources essential for carrying out domestic and caregiving tasks that are the cornerstone of their living conditions and those of their communities.<sup>17</sup>

**Additionally, because men tend to hold most land ownership or tenure rights in Atacama and Antofagasta, the women described being often the ones at risk of being dispossessed of their lands and not considered in the compensation processes for land occupation associated with lithium mining projects.** These pre-existing gender inequality conditions, combined with the exponential increase in lithium extraction activities on their lands, put their rights to land and territories at risk.

Furthermore, the women noted a dual dynamic that undermines their rights. On the one hand, extractive projects in Antofagasta and Atacama attract the migration of workers seeking new employment opportunities offered by mining activities. However, these opportunities tend to be available only to men who dominate the extractive sector. On the other hand, mining activities gradually force indigenous and rural populations, including women residing in the area, to migrate and move to cities and other regions in hopes of better opportunities to earn income and improve their living conditions. One Indigenous woman commented that forced migration is a painful reality, where many members of her

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<sup>16</sup> FIMA & GIESCR. (2024). [Critical Minerals and Gender Equality: The Voices of the Women of Antofagasta and Atacama.](#)

<sup>17</sup> FIMA & GIESCR. (2024). [Critical Minerals and Gender Equality: The Voices of the Women of Antofagasta and Atacama.](#)

community have had to leave their ancestral lands and move to cities due to extractive companies' activities, facing discrimination and disconnection from their roots and culture.

These conditions disproportionately affect the rights to food, water, land, territories, and natural resources of the women in the Antofagasta and Atacama regions. Consequently, lithium mining jeopardizes the fulfilment of these rights, and measures to address these impacts must be taken.

#### **IV. Impacts on the Right to Health**

**Under Article 12 of the Convention, States parties are required to guarantee substantive equality between women and men in the provision of healthcare services.**<sup>18</sup> States parties should ensure that detailed policies and budget allocations are made to promote, protect and fulfil women's right to health, including implementing effective measures to reduce mortality, prevent and treat all diseases, and provide medical services and assistance in cases of illness.<sup>19</sup>

**There are potential risks that the destruction and contamination of local ecosystems pose health problems for local populations. Women explain that large concentrations of harmful salts and metals have been found in the water and soil, associated with the evaporative extraction processes of lithium.**<sup>20</sup> **Although these impacts have the potential to affect the health of the entire local population, women could be disproportionately affected due to their constant exposure to water through their domestic tasks, as well as their caregiving roles, which involve taking care of children and family members suffering from health problems within the family. Furthermore, women considered that there is a lack of accessible, independent, and truthful information to inform the population about the health impacts of mining activities in their communities.**

The **pollution of local ecosystems impacts women's right to health** and can disproportionately affect them due to their exposure to the natural environment and care responsibilities. To comply with its obligations under the Convention, the State of Chile must address the effects of lithium mining on the right to health of women in the regions of Antofagasta and Atacama.

#### **V. Impacts on Cultural Rights**

**Pursuant to article 13 of the Convention, States have to ensure women's right to participate in all aspects of cultural life, on a basis of equality with men.**<sup>21</sup> **Culture is**

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<sup>18</sup> United Nations. 1988. "Convention on the Elimination of All Forms of Discrimination against Women." *Treaty Series* 1249: 13.

<sup>19</sup> Committee on the Elimination of Discrimination Against Women. 2022. General Recommendation No. 39 on the Rights of Indigenous Women and Girls. ¶51.

<sup>20</sup> FIMA & GIESCR. (2024). [Critical Minerals and Gender Equality: The Voices of the Women of Antofagasta and Atacama.](#)

<sup>21</sup> United Nations. 1988. "Convention on the Elimination of All Forms of Discrimination against Women." *Treaty Series* 1249: 13.

**an essential component of the lives of Indigenous women and girls.**<sup>22</sup> In that sense, the United Nations Declaration on the Rights of Indigenous Peoples establishes that indigenous peoples and individuals have the right not to be subjected to forced assimilation or the destruction of their culture.<sup>23</sup> It also recognises that indigenous peoples have the right to maintain and strengthen their own political, legal, economic, social, and cultural institutions.<sup>24</sup>

**One of the main concerns for women of Antofagasta and Atacama is the preservation of their traditions and cultural heritage.**<sup>25</sup> Historically, the indigenous peoples of the regions have been nomadic, engaged in pastoralism and small-scale agriculture. Land is traditionally managed collectively, with limited presence of private property regimes. However, **with the arrival of mining projects, access to certain territories has become impossible, limiting the mobility that is integral to the life and traditions of local indigenous communities.** Additionally, the lithium mining industries offer new jobs that provide more stable incomes, leading many Indigenous communities to abandon their traditional activities and practices to join the mining workforce. **One woman commented that mining has radically transformed the nomadic nature of her people, as many communities have permanently settled near mining projects. This dynamic is gradually altering cultural expressions, leaving behind pastoralism, agriculture, and the overall way of life of the people and communities in the region.**

It is also worth noting that for local populations and Indigenous peoples, **land, territories, and environmental components have not only economic but also cultural value. In this sense, ecosystem degradation implies the loss of sacred elements in the cosmology of the people inhabiting the region.** This erosion of the traditional ways of life of indigenous peoples and communities also involves the loss of ancestral knowledge and techniques for managing natural resources and preserving ecosystems, which play an important role in maintaining local ecosystems and combating climate change.

Women who inhabit these territories, particularly those belonging to indigenous peoples and communities, are affected by the erosion of their traditions and ways of life, as well as the destruction of the natural heritage that is part of their cultural identity. They play a fundamental role in educating and caring for the new generations, transmitting traditional knowledge from one generation to the next to preserve their culture. This is becoming increasingly difficult as the natural environment deteriorates due to the cumulative impacts of mining in the territories.

The arrival of new lithium extraction projects in the Atacama region also affects social cohesion by causing divisions among community members. Some support the rapid establishment of projects that bring economic benefits, while others oppose them or prefer to take more time to gather information and assess potential social and environmental impacts. According to testimonies, many of the people who oppose the projects or maintain a reserved stance regarding the arrival of new lithium mining projects are Indigenous women concerned about the long-term well-being of their communities and territories. The tensions

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<sup>22</sup> Committee on the Elimination of Discrimination Against Women. 2022. General Recommendation No. 39 on the Rights of Indigenous Women and Girls. ¶53.

<sup>23</sup> United Nations (General Assembly). 2007. *Declaration on the Rights of Indigenous People*.

<sup>24</sup> Ibid.

<sup>25</sup> FIMA & GIESCR. (2024). [Critical Minerals and Gender Equality: The Voices of the Women of Antofagasta and Atacama](#).



generated with other community members erode the social fabric, fracturing the social relationships that sustain the traditions and culture of local communities. These divisions have also been a significant cause of the loss of community dynamics, practices, and values over time.

**The women recognised that there is a high risk of cultural rights violations in various peoples and communities in the Atacama and Antofagasta regions, where women tend to suffer differentiated impacts that are often invisible.** To comply with its obligations under the Convention, the State of Chile must prevent these violations, approaching the impacts of lithium mining on Indigenous peoples' right to culture through a gender lens.

## **VI. Impacts on Labour Rights**

**Under articles 11 and 14, the Convention establishes the obligation of States to eliminate discrimination against women in the field of employment,** ensuring women the same rights as men under conditions of equality.<sup>26</sup>

**Indigenous women, in particular, have limited access to decent, safe, and fairly compensated employment, which hinders their economic independence.<sup>27</sup> They also encounter discriminatory gender stereotypes and racial biases in the workplace.** To address these issues, States should ensure equal opportunities for Indigenous women and girls to access the education and training they need to enhance their employment prospects and support their transition from the informal to the formal economy.<sup>28</sup>

**In this regard, mining activities could imply better labour opportunities for Indigenous women. However, the erosion of traditional ways of life often does not lead to better job opportunities for women in communities near lithium extraction activities.<sup>29</sup> According to the testimonies of women living in the Antofagasta and Atacama regions, mining is considered by most of Chilean society, including in Antofagasta and Atacama, as an "essentially masculine" activity, a profession that requires greater physical strength and therefore creates marked occupational gender segregation. As a result, lithium mining reinforces the stereotype of the male provider with physical strength working in the mine and the female caregiver dedicated to domestic and care duties at home. These gender stereotypes perpetuate inequalities associated with the idea that men's contributions and work are more valuable and superior to those of women. These dynamics help sustain the patriarchal system that still prevails in the social dynamics of Atacama and Antofagasta.**

Additionally, according to the testimonies of women, lithium mines are sometimes located in territories far from residential areas, resulting in workers often spending long hours or even

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<sup>26</sup> United Nations. 1988. "Convention on the Elimination of All Forms of Discrimination against Women." *Treaty Series* 1249: 13.

<sup>27</sup> Committee on the Elimination of Discrimination Against Women. 2022. General Recommendation No. 39 on the Rights of Indigenous Women and Girls. ¶49.

<sup>28</sup> Ibid.

<sup>29</sup> FIMA & GIESCR. (2024). [Critical Minerals and Gender Equality: The Voices of the Women of Antofagasta and Atacama.](#)

several days working at the mine. As a result, women tend to stay home alone, taking care of all domestic and caregiving responsibilities on their own. For many women, the unequal distribution of domestic and caregiving responsibilities results in limited opportunities to work and earn their own income, join the educational system, maintain their physical and mental health, as well as participate in the public and political life of their community. The time dedicated to domestic work is such that it leaves little room for women and girls to engage in other activities essential to the realisation of their human rights.

In line with these patterns, women shared that lithium mining companies tend not to hire women in their workforce. Women's perception is that most of the workforce in lithium mines and associated production activities consists of men. According to their testimonies, women rarely hold substantive positions and are generally only represented in low-paying administrative roles, cleaning activities, or food preparation. They mentioned that the few better-paying jobs offered to women in lithium mining are often filled by qualified women from outside the community, from large cities, or even from abroad.

**Thus, although the lithium industry tends to increase job opportunities for communities near extraction projects, there are often numerous barriers preventing women residing in territories impacted by mining from entering this workforce and benefiting from these economic activities.** Moreover, due to notions of mining as a “masculine” work, it has contributed to reproducing harmful gender roles that maintain a system of subordination between men and women. **These circumstances effectively violate women's rights to enjoy just and favourable working conditions, as well as their right to non-discrimination on the basis of gender in employment.** To eliminate discrimination against women in the field of employment and guarantee women's labour rights, the State of Chile must establish measures to fight those biases and ascertain that women enjoy the same opportunities as men in the regions.

## **VII. Impacts on the Right to Participation**

**Under Article 7 of the Convention, States shall ensure the right to participate of women, on equal terms with men.**<sup>30</sup> Furthermore, the right of Indigenous peoples and communities to free, prior, and informed consultation is provided for in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), as well as in ILO Convention No. 169.<sup>31</sup>

Specifically, Article 6 of ILO Convention No. 169 establishes the duty of States to "consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever legislative or administrative measures are being considered which may directly affect them." Moreover, these consultations "[...] shall be carried out in good faith and a manner appropriate to the circumstances, to achieve agreement or consent on the proposed measures."

However, the **Indigenous women** who participated in the participatory action research project **perceive that in the regions affected by the lithium industry, the right to free,**

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<sup>30</sup> United Nations. 1988. "Convention on the Elimination of All Forms of Discrimination against Women." *Treaty Series* 1249: 13.

<sup>31</sup> United Nations (General Assembly). 2007. *Declaration on the Rights of Indigenous People*. International Labour Organisation (ILO). 1989. *Indigenous and Tribal Peoples Convention No. 169*.

**prior, and informed consultation is rarely respected and is not implemented according to international standards.**<sup>32</sup> Although there are regulations of this right at the national level, many Indigenous communities and peoples do not have access to a consultation process that allows them to make informed decisions about mining projects and influence the conditions under which they are developed in their territories.

In recent years, the Chilean government has organised mechanisms to carry out consultations and negotiation processes regarding the development of lithium extraction activities in the regions of Atacama and Antofagasta, involving communities, public institutions, mining companies, and other stakeholders. However, for the women who participated in the participatory action research project, these efforts face numerous limitations. They noted that accessible, independent, and adequately disseminated information is often not provided to encourage participation in the consultation processes. Additionally, the terms of the agreements resulting from the negotiations rarely respect the established timelines and agreed terms. Often they don't have specific outcomes, which tends to favour the position of the Government rather than to address the concerns of the community. In their opinion, this erodes trust and makes community members and Indigenous peoples perceive that the authorities and companies are not willing to carry out effective processes of free, prior, and informed consultation that could influence the development of mining projects.

**Furthermore, the consultation processes often lack a gender perspective. The women shared that the meetings in these processes are often not held in spaces that encourage women's participation, considering the importance of having safe environments for them, free from male influence when necessary, and at times when they do not have to attend to domestic and caregiving duties. The lack of an intersectional gender perspective in these processes precludes many women in the regions of Antofagasta and Atacama from participating and making their voices heard in the consultation and decision-making processes. As a result, they expressed that women often do not have the opportunity to present their demands and share their needs during important moments of negotiation with companies and authorities interested in developing mining projects in their territories.**

Additionally, the women who participated in the research project commented that, although many women hold leadership positions within their communities, this is not the case in all communities. It is common for community councils and other local governance bodies to be dominated primarily by men, and women often do not hold decision-making positions. Sometimes, the opportunity to participate is even linked to land and territory ownership rights. Since women generally do not possess these rights, they are excluded from decision-making processes, creating conditions of inequality where the lack of women's voices is directly related to the lack of land rights.

A participant in the research project from the Antofagasta region specifically spoke about the consultations or dialogues organised by the government to develop lithium governance policies. She commented that, despite the implementation of various initiatives and multi-stakeholder dialogue tables since 2012, these efforts have proven to be ineffective. Rather than contributing, she expressed that these instances often wear down the territory and its

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<sup>32</sup> FIMA & GIESCR. (2024). [Critical Minerals and Gender Equality: The Voices of the Women of Antofagasta and Atacama](#).

inhabitants, progressing at a very slow pace and only occasionally influencing policy-making. She emphasised that the most substantive progress has been achieved primarily through community organisation and resistance, and through self-managed forms of advocacy.

Several women perceive that the new National Lithium Strategy has been disappointing, despite having dialogue and participation with civil society as one of its pillars. During October 2022, the government organised dialogues with civil society to gather opinions on the guidelines of the National Lithium Strategy, but according to the women's testimonies, these meetings were characterised by insufficient outreach, limiting the participation of civil society organisations and Indigenous peoples and communities. The sessions were dominated by political presentations rather than effective exchange spaces, and no measures were taken to adopt a gender perspective. On some occasions, relevant government representatives did not stay until the end of the conversations when the most critical issues were discussed. The impression of several participants is that the National Lithium Strategy is "an extractivist script that changes its face but not its essence, continuing the exploitation of territories and communities without an adequate focus on sustainability, environmental respect, social justice, and gender equality."

In this sense, the existing spaces are considered very limited for communities and local populations to receive information about the impacts of mining projects and make informed decisions about the fate of the territories they inhabit. They also believe that these spaces do not meet the essential human rights requirements to be considered effective participation spaces, and tend to impose numerous barriers to women's participation. As a result, they often become processes that merely fulfil formalities, without considering the voices of those disproportionately affected by mining projects, especially relegating women in the decision-making processes.

**In this context, the right to participation, as well as the right to free, prior, and informed consultation of Indigenous women, is often violated in the conduct of lithium exploitation activities in the territories of Antofagasta and Atacama.** To comply with its obligations under the Convention, the State must ensure that women have access to effective and meaningful participation that is valued within decision-making spaces.

## **VIII. Recommendations**

**The case study on the experience of a group of women in Antofagasta and Atacama in Chile provides various lessons learned for the State in identifying and addressing the risks and opportunities faced by women in territories impacted by extractive industries of critical minerals.**

In light of the different implications of lithium mining on the rights of Indigenous women, **we ask the CEDAW Committee to consider the following recommendations**, based on the demands of the participating women who live in the territories of Antofagasta and Atacama, **to ensure the respect, protection and realisation of women's rights in the context of the exploration and exploitation of critical minerals. The Concluding Observations should request the Government of Chile to :**

1. Consider how women are disproportionately affected by the impacts of lithium extractive activities. The exploration and exploitation of Lithium and other critical

minerals should consider how women experience environmental harm and degradation, as well as a lack of access to resources, opportunities, and services disproportionately and more severely than men, due to pre-existing conditions of gender inequality and power structures that perpetuate and reproduce these conditions, leaving them at a disadvantage when facing adversities in their environment.

2. Incorporate a gender perspective in environmental and impact assessments of mining projects.. This will allow for the identification of the differentiated risks posed by the lithium industry to ensure that human rights abuses and violations against women are identified, addressed, prevented, mitigated, and, where appropriate, remedied. In this regard, conducting studies in the territories and including broad and representative groups of local women can help identify more clearly the specific impacts on women's rights and how these compare to the situation of men.
3. Ensure that women have access to effective participation that is valued in decision-making spaces. It is essential to promote greater awareness among local populations, particularly among women, about their rights and how they can strengthen their participation in decision-making processes, such as their roles in community negotiation processes and consultations with companies and government institutions. In the specific case of Chile, this could be achieved by facilitating: a) a dedicated space for women in the context of lithium dialogues; b) subsequent dialogues in the territory that create conditions for broad participation of women; c) the lithium dialogues leading to the institutionalisation of the participation of women from the territories, allowing for regular contact.
4. Ensure that the benefits of mining projects advance women's rights and gender equality. These measures involve challenging gender stereotypes in the mining and energy sector to provide greater employment opportunities, analysing how royalties have been distributed at the community level and between men and women, whether they meet equity criteria in this exercise, as well as examining the imposition of taxes on extractive activities to fund goods and services that advance substantive gender equality.
5. Develop gender-sensitive plans and policies for companies and government institutions involved in lithium mining in the territories. Develop and implement policies to prevent and address conditions of gender inequality that are reinforced and replicated in all lithium mining activities. In this respect, relevant institutions must commit to combating discrimination and addressing gender inequalities visibly, with specific objectives and guidelines that help to ensure a coordinated response within institutions.
6. Incorporate effective protection and prevention measures for human rights defenders, and land and territory defenders, and prevent regressive responses to the advancement of gender equality. Women defenders face constant risks of harassment and conditions of gender-based violence. It is essential to implement protection measures to enable them to carry out their activities without interference and with full freedom. Likewise, it is crucial to protect women from potential reactionary attitudes that could arise from the progress in gender equality and the promotion of women's leadership in decision-making.

7. Value and consider the traditional knowledge of Indigenous women. Develop grassroots response strategies that take into account the knowledge, perspectives, and needs of communities and women on the front lines of territorial defence. They possess ancestral knowledge that is essential for addressing the climate emergency and designing measures to advance the decarbonisation of our societies.
8. Implement environmental conservation and mitigation measures for the impacts of lithium extractive activities. It is essential to impose measures that help to prevent and mitigate the adverse impacts of lithium mining on ecosystems. Therefore, it is important to incorporate ecological criteria to assess the impacts of projects on salt flats while promoting the conservation of natural areas to ensure the stability of local ecosystems. Lithium mining must also implement measures throughout the entire process of obtaining lithium to prevent toxic substances and waste from contaminating the air, land, and water bodies in the region. Likewise, it must ensure that the competent authorities regulate, monitor, and supervise the extraction of brine and water use.
9. Promote and guarantee women's and their communities' access to water. It is essential to implement measures to guarantee the right to water, which includes, among other things, supplying water to local populations and ensuring the sustainability of water resources. In this sense, it is crucial that water availability is not compromised in the short or long term, and that water distribution does not prioritise mining companies or other businesses over local communities.
10. Ensure the creation of employment opportunities for women and establish flexible work schemes so that both men and women can perform domestic and care tasks. Mining companies must implement schemes to combat gender discrimination and promote employment opportunities for women on an equal footing. Similarly, they must allow both male and female workers to have work arrangements that enable them to contribute to domestic and care tasks.

For more information, please consult the following publications:

- [Critical Minerals and Gender Equality: The Voices of the Women of Antofagasta and Atacama](#) – GI-ESCR, Briefing Paper (2024).
- [Setting a Roadmap for a Feminist Green Transformation](#) – GIESCR, Briefing Paper(2022).
- [¿Hacia una Transición Justa?](#) Recomendaciones a partir del caso Coronel – ONG FIMA, Informe (2024).
- [Narrativas sobre la extracción de minerales críticos para la transición energética: Críticas desde la justicia ambiental y territorial.](#) – ONG FIMA, Informe (2023).

**Contacts:** Magdalena Rochi, Associate Programme Officer on Climate and Economic Justice, GI-ESCR, [maggie@gi-escr.org](mailto:maggie@gi-escr.org); Javiera Pérez, Researcher, FIMA, [j.perez@fima.cl](mailto:j.perez@fima.cl).

