

# Chile mine rescue exposes precarious working conditions

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The collapse of the San Jose gold and copper mine that trapped 33 miners for 10 weeks 2,300 feet below ground has focused attention on the safety of operations at Chilean mines.

Over the past 30 years, the mining industry, which accounts for 40 percent of Chile's gross domestic product, has profited from the high price of copper, gold and other commodities while keeping costs low by neglecting safety and accelerating the exploitation of its mining workforce.

Before the mine collapse, the San Jose mine was a relatively small underground operation, which extracted gold and copper. Annual revenues at the mine exceeded US\$20 million. As a result of the latest collapse, the San Sebastian Group, which operates San Jose, filed for bankruptcy in September. This move places a question mark over the company's ability to provide the compensation it has promised to the trapped miners, plus back wages owed to the other 300 workers at the mine.

In fact, the San Sebastian Group is demanding that the Chilean government first unfreeze US\$10 million in assets as a condition for compensating the miners, effectively holding hostage the compensation owed the workers in its dispute with the government.

News reports indicate that the miners and their families are suing the mine owners and the Chilean government for US\$27 million over conditions in the mine. Brunilda Gonzalez, mayor of the town of Caldera, located near the mine, reported that the miners and their families are "furious" that the San Jose mine was reopened in May 2008 with no improvements in safety following the death of a mine geologist in 2007.

The reopening of the mine, with no improvements to safety, was justified then as a response to increasing Chinese demand for copper and gold. Under these

conditions, both the government of then president Michelle Bachelet, and the San Sebastian Group management, concluded that the lives of miners were a small price to pay relative to the expectation of high profits.

While mining in Chile is generally dangerous, this mine in particular has a history of mining accidents that have killed and injured workers. In 2004, the miners union petitioned for the closure of the mine over its dismal safety record. The petition was driven by the death of miner Pedro Gonzalez from a rock fall. The union's demand was denied by a Chilean appeals court. In 2007, before the closure of the mine, workers at the mine once again petitioned for its closure, following the death of three miners. Once again, the petition was denied by the courts.

Earlier this year, in July, falling rocks at San Jose severely injured a miner, Gino Cortez, whose leg had to be amputated. Cortez maintained that elementary safety measures, such as installing a safety wire mesh on the roof of the mine to prevent rocks from falling, were never undertaken. While the 33 miners were waiting to be rescued at San Jose, another worker was killed by falling rocks at a separate mine.

The San Jose mine incident exemplifies what has happened to mine safety in Chile since the dictatorship of Augusto Pinochet. Under Pinochet, in the name of regulation and free market capitalism, virtually all safety regulations were dismantled. A key player in that process was current president Sebastian Pinera's older brother, Jose Pinera, minister of labor in 1980. Jose Pinera was tasked with creating a labor code that would not interfere with big business profits. In the name of a more flexible labor code that would stimulate economic growth, he abolished labor rights that had been won through decades of bitter struggle by the Chilean

working class.

The labor code established in 1980 continues to be the law of the land in Chile today. As a result, fully 50 percent of Chile's working class has no stable employment. At least five of the 33 miners rescued from San Jose fall under this category.

In line with this policy, which ignores mine safety and denies workers their basic rights, a succession of "Concertación" governments, in which the Socialist Party has shared power with the Christian Democracy since the end of the dictatorship, the Chilean government has yet to ratify the International Labor Organization's 1995 agreement on mine health and safety. Convention 176 commits mining nations such as Peru, Mexico and Chile to undertake a modicum of health and safety measures and to commit themselves to the elimination of mine deaths by creating a national policy on health and safety, which includes regular inspections as well as provisions to protect miners from retaliation from exposing violations.

The latter is a real problem in Chile, where workers are routinely sacked for complaining about their working conditions. Despite the inadequacy of the ILO agreement, only 24 countries have ratified it. In addition to Chile, the ILO agreement has been ignored by other major mining nations such as Australia, Canada and Russia.

Since the turn of the century, some 350 miners have died from mine accidents in Chile, a number that may well be an underestimation. According to Dick Blin, a spokesman for the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM), worldwide some 12,000 miners die every year, well above official figures. The under-reporting of mine fatalities is most glaring at small mines, such as the one at San Jose.

In a radio interview, Marco Canales, president of the Chilean Labor Federation (CUT), pointed out that the labor rules that were implemented in 1980 by Jose Pinero are still in effect. Canales said that the country lacks minimal mining regulations. He pointed out that health and safety violations are also rampant in agriculture, where workers are subjected to dangerous chemicals.

Even in cases where regulations exist, they are poorly enforced and when a violation is discovered, mine management often finds it cheaper to pay fines than to

fix the problem. This applies as well to mine violations that result in injuries or deaths. Canales also pointed out that there is insufficient training for miners. Two of the 33 miners rescued at San Jose had been recently hired with no mining experience.

At the same time that the CUT denounces conditions in mining and other industries, it is silent about its own role. Over the last 20 years the CUT has been fully integrated into the structure of the Chilean state and as such has been largely incapable of bringing about the repeal of Pinochet's labor laws.

In 2008, as the effects of the global financial crisis were affecting the price of copper and bringing about increasing unemployment, the CUT channeled working class anger into the blind alley of one-day protests, making it possible for the Chilean government to attack education and pension rights and to block increases in the minimum wage. Unemployment in Chile exceeds 8.5 percent, with a 20 percent jobless rate for young workers.

Such conditions make many Chilean workers highly skeptical of assurances by the Chilean government that changes will be implemented.



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