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“Law in action”: assessment of state enforcement capacity to control illegal gold extraction and environmental harms in the Peruvian Amazon

by Johanna Espin
Department of Sociology, UF

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Content: The rise in gold prices has significantly impacted the processes of gold mining. A key issue, however, is that many contemporary source countries such as Peru exhibit gold extraction booms in precisely ecologically sensitive regions that are relatively well-preserved, which generates substantial environmental harms. In addition, the economic boom generated by gold extraction has resulted in a rapid expansion of illegal mining, which continues to spread despite the recent regulatory frameworks created and mining policies implemented. In this presentation, I will discuss preliminary findings of fieldwork conducted in the department of Madre de Dios in 2016. Likewise, I will present next stages of my research, which first aim to identify the ways in which gold extraction involves illegal and ‘legal but unenforced’ practices that generate environmental harms and green crimes in and around mining sites, and then to evaluate enforcement actions included in the National Plan of Formalization to regulate Artisanal and Small-scale gold mining (ASGM) and tackle illegal gold mining. Focus is laid on assessing the differences between “law on the books” and “law in action”.

Biographies: Johanna is a doctoral candidate in the Department of Sociology and the Tropical Conservation and Development Program at the University of Florida. She was born in Ecuador where she received a Master’s degree in Social Sciences with concentration in Local Development and Territory from FLACSO, a Specialist’s degree in Human Rights from the Andean University Simon Bolivar, and a Bachelor’s degree in International Relations from San Francisco de Quito University. She worked for 6 years in FLACSO as a researcher in projects on crime prevention strategies, and impacts of organized crime on natural resources. Currently, her interests are focused on topics related to Neo-extractivism and Extractivist industries, Environmental harms and Green crimes, and Environmental Governance and Enforcement mechanisms in Latin America.

Tropilunch is a weekly seminar run by graduate students from the Tropical Conservation and Development (TCD) Program. It provides a forum for a range of discussions and presentations related to TCD work and research. Students are provided with an opportunity to present and discuss their research projects with peers and faculty. In addition, discussion sessions on issues of current interest are also held. Visiting scholars and conservation practitioners also participate when available. It is held every Tuesday at 12:45 p.m. in Grinter 376.

*Tropilunch presentations are recorded weekly and can be found on TCD’s YouTube Channel*