

WITNESS STATEMENT OF FATHER AURELIO ROMO NAVARRO

1. My name is Aurelio Romo Navarro. I was born in the city of San Luis Potosi. I am a priest and I received my education in San Luis Potosi. At present, I am in charge of the Santo Niño de Atocha Church, located in Praderas del Maurel S.L.P. From 1992 until August 1997, I was working at the Church located in the town of Guadalcázar, in the municipality of the same name in S.L.P.
2. The government of Mexico, through its counsel, has requested me to provide a witness statement regarding those matters of which I have direct knowledge in the events giving rise to this arbitration.
3. At the beginning of 1990, I worked at the Church located in the community of El Capulín, in the municipality of Rioverde, S.L.P. At this time I started to collect information about the landfill at La Pedrera, municipality of Guadalcázar, because of continuous complaints and concerns manifested by the congregation of my church about hundreds of barrels with hazardous waste left out in the open at La Pedrera. This threatened the health of the people living in the surrounding areas, and endangered the vegetation of the Potosino Altiplano and thus threatened the ecology of the whole region, even Rioverde.
4. I remember that one of the major concerns manifested constantly to me was the fear of being poisoned through the water, because we were worried that the contamination at La Pedrera had already affected the groundwater streams at the site which supposedly were connected with the ones that cross Rioverde.
5. I felt the necessity to improve my understanding of the threat that we were facing. I have to state that the people in those areas are very poor and most of them have a low level of education.
6. I declare that we were not aware in 1990 that there was a plan to construct a hazardous waste landfill at La Pedrera. I think that this kind of information should have been necessarily disclosed because these kinds of facilities can only be constructed in places where the surrounding communities are in favour. However, as far as I know, none of the members of the communities were informed about the construction of a landfill. To the contrary, I can affirm that many people believed that the place was acquired for the cultivation of tomatoes and other crops. Later, I was informed that the local people asked about the project and the answer they received was that they were drilling the land to build wells which would provide water to the communities and would be used for irrigation of the new cultivated fields.
7. At the end of 1990, the alarmed people informed me that hospital and industrial waste was being dumped indiscriminately at the La Pedrera site. I remember that the people of Guadalcázar requested the support from our municipality, Rioverde, to stop the threat. The community of Rioverde is small and sensitive, so it was not difficult to convince them to resist the landfill.

8. In 1991, I was informed that due to the constant complaints of the municipalities bordering La Pedrera the federal department SEDUE in S.L.P. decided to close the supposed transfer station.

9. In 1992, I moved to Guadalcázar and there I faced a new problem. Obviously, the closing of the transfer station did not mean that the problem was solved. To the contrary, the barrels still remained out in the open and the owners had not cleaned up the site. From my point of view, the risks were still the same, and I considered it my obligation to try to help solve the problem. In addition to this, I received reports from my congregation of malformations in recently born babies (encephalitis) and about skin diseases not known in the area, as well as strange changes in plants and animals.

10. During 1992, I remember that the people of the community informed me that although the place was closed, at night, they heard the arrival of trucks which dumped waste at the site, this increased my worries because the site was semi-abandoned and was not maintained.

11. At the end of 1993 several people appeared at La Pedrera. It seemed as if the owners had changed, and everything was indicating a new activity at the site. Therefore I joined some citizens of the municipality of Guadalcázar, and together we decided to constitute a group called the "Frente Pro Defensa de Guadalcázar". We had the support of Dra. Angelina Nuñez, the founder of "Pro San Luis Ecológico". This group was concerned about our problems and supported the population of Guadalcázar throughout. Thus our association was closely related to "Pro San Luis Ecológico".

12. I participated in the "Frente Pro Defensa de Guadalcázar" because the people of my congregation had asked me for support and wanted me to guide them in different activities.

13. The main objective of the "Frente Pro Defensa de Guadalcázar" was to obtain information about what really was going at the site and at the same time to make ourselves heard at the various levels of government. We wanted to inform the government and society in general that the people of Guadalcázar and the nearest communities were against the reopening of La Pedrera.

14. The people from the area told me that they wanted a secure place for their children. Thus, another main objective was to achieve the remediation of the site and to prevent its continuous use as a place to deposit hazardous waste because this was the only possible way to guarantee a secure place for future generations.

15. I prayed every day since then for a happy end of the problem, because it has been many years of stress and suffering for many people in the community of Guadalcázar.

16. The behaviour of the representatives of the company was always a key factor in the solution of the problem. It should be kept in mind that in 1990 they arrived at the nearest communities such as Los Amoles, El Huizachillo, La Polvora and others promising jobs, possible businesses, agriculture and flourishing cattle raising, but most importantly, plenty of water which is most lacking in that area. Later on I was told by the local people that the new

owners of the company also made promises to the residents, such as to help them to obtain passports and visas for the people who wanted to work in the United States, as well as life insurance for people who might be affected by any kind of intoxication of gases which remained in the cells of the landfill. According to some reports to me, payments in cash and in kind were made to try to obtain the support of the local population.

17. However, I believe that the company failed because they did not speak clearly and truthfully about the project at La Pedrera. In retrospect, I consider that the company had a strong deficiency in the way they approached the community. If they had a community program, it appears to me that they did not do a good job of informing the people. Some few families from Los Amoles and El Huizache supported the project because the company offered them work at the landfill. I believed, however, that benefiting a few could not outweigh the opposition of the rest of the population.

18. From my point of view, the company was interested only in opening the landfill and in operating as soon as possible; the remediation of the site was of only secondary importance. Obviously, their interest was purely business and they never convinced the community that they were really concerned about the ecosystem of the area. The company took advantage of the poverty and ignorance of the residents, because some people in the neighbouring ejidos needed jobs that were offered at the landfill, because Guadalcázar is one of the poorest communities in San Luis Potosí and even in México.

19. I have been informed that the representatives of the company have claimed that during my sermons, I made statements against the company. I declare that, as I said before, my mission was to inform my congregation about the risks that we were facing, and the right to know the truth, to protect their lands and health; this, in fact, was my principal interest, because I considered that they deserved to be treated with dignity, and not with lies and promises that would never be fulfilled. I tried to calm down the people, who were angry upon realising that they had been ignored and deceived. I tried not to alarm the community more, because they were already panicked hearing of strange diseases in people, plants and animals. I always followed my ecclesiastical mandate during my sermons and in my work with the community.

20. The first time I went to the La Pedrera site was in June of 1994. There was great opposition in the municipality of Guadalcázar and I remember that the people were confused and upset due to diverse newspaper articles declaring that the Ecology Coordination Office of the state of SLP had just come to an agreement with the representatives of the company. I affirm that we were never consulted in relation to what was happening, and for that reason "Pro Defensa de Guadalcázar" put pressure on the Municipal President in order to get an explanation from the State Ecology Coordinator in relation to the meaning of the agreement and the scope of it. The other municipalities joined our petition and in June of 1994 Dr. Pedro Medellín finally visited the site together with members of the Municipality, who decided to close temporarily the works at the landfill. Dr. Pedro Medellín informed the community that the State would respect its wishes and would not force it to accept the landfill.

21. The second time I went to La Pedrera was on March 10, 1995. Regarding this event I would like to state that, contrary to what has been expressed by the company, the demonstration

arose from the roots of the community. In other words, the City Council and the State officials did not have anything to do with an authentic manifestation of the will of the people. I consider that the reopening was the last straw. We were informed of the supposed inauguration of the landfill by the local newspapers of SLP.

22. Once again, the population had been ignored and deceived. I remember that the people joined together with the only purpose of defending their health and their families. In a short time, many people came together in order to try to stop the reopening. In my case, I do not remember seeing armed people during the manifestation. On the contrary, the only armed people that I remember were the people that were guarding the landfill.

23. Demonstrators arrived at the site at the same time as luxury buses with visitors. Some of these buses were not allowed to enter the site. Meanwhile, among the people inside the landfill, there were some families from El Huizache and Los Amoles whose relatives worked at the site. I remember that they faced the demonstrators. It seemed as if they had received orders from their superiors who sought to break up the demonstration. However, I remember that such efforts were in vain until the Municipal President arrived. I understand he had not been informed of or invited to the company's celebration. After we noticed that we had achieved our objective of making it clear in a public way that the general population did not agree with the reopening of the site, we returned to Guadalcázar.

24. I remember that in August of 1994, a person came on behalf of the company to talk with me, I believe his name was Lic. Héctor Raúl García Leos, and that at that time he was a lawyer of the company. His objective was to change my mind regarding the landfill. However, as far as I remember, I told him that it was not me he had to convince, but the hundreds of people from Guadalcázar who felt deceived and betrayed by the representatives of the company. When Mr. Garcia Leos realized he had failed to convince me, he left the church and I did not see him again. This was the only occasion in which any person linked to the company approached to speak with me.

25. In 1997, because of the rotation within the Catholic Church, I was assigned to a new Church. I still assist this Church

26. I provide this statement to assist the Tribunal in having a better understanding of the facts of this claim. I acknowledge that I can be required to appear before the Tribunal to provide further oral evidence. I provide this statement with the promise to tell the truth and in those areas where I have testified on matters that I did not witness directly, I state that the information contained in my witness statement is true to the best of my knowledge, information and belief.

March 5, 1999

[Signed in the original]

Padre Aurelio Romo Navarro