

The Isthmus of Tehuantepec Corridor: Public-Private Partnerships and territorial impacts in Mexico

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THE ISTHMUS OF TEHUANTEC CORRIDOR:
PUBLIC-PRIVATE PARTNERSHIPS AND TERRITORIAL IMPACTS IN
MEXICO

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ABSTRACT

The Inter-Oceanic Corridor of the Isthmus of Tehuantepec is a mega-project proposed by the government of Andrés Manuel Lopez Obrador that focuses on the construction of infrastructure and energy projects, among which is the rehabilitation of the Isthmus Railway and the construction, maintenance, and operation of the Jáltipan Salina Cruz gas pipeline. The aim is to put into operation an electric train and a 247 km gas pipeline to expand gas production in the region. Both projects are developed under the Public-Private Partnership (PPP) scheme and have foreign investment.

In Mexico, PPPs have been implemented based upon the consideration that they are the necessary formula to solve the state's inability to administer and offer public goods and services. However, this approach has not guaranteed its success and has generated various territorial conflicts.

This project reproduces relations of domination over territories based upon the discourse of a development model that meets social needs, although it maintains, as a priority, economic growth linked to extractive production. This approach not only generates environmental and social impacts, but also makes invisible and accentuates the discrimination and marginalisation that women in the region face by not being considered as subjects for decision-making.

In this context, women defenders in this region have undertaken a way of resisting by building their own notion of well-being and proposing an agenda in which the rights to health, education, food, water, and environmental protection are fundamental issues.

1. INTRODUCTION

This chapter presents an analysis of the mega-project for the Isthmus of Tehuantepec in Mexico proposed by the government of President Andrés Manuel López Obrador. This region joins the territories of Oaxaca and Veracruz, and has a historical, geopolitical and economic interest because it is the only point in Mexico that joins the Pacific and Atlantic oceans at a distance of approximately 200 kilometres. These territories, in addition to being indigenous and peasant territories, form an ecosystem of great relevance due to its biodiversity and hydrology.

The isthmus has not been considered by the prevailing development model as a biological corridor, but as a commercial corridor, particularly for the energy and hydrocarbon sector. This is not the first time that a government programme has directed its attention to the region from this perspective. Since the 1970s, the Tehuantepec Isthmus has been configured to emulate the Panama Canal.

This study once again takes up the most recent interest in this territory, that is, the government's bet, which has elaborated a development programme for the Isthmus of Tehuantepec whose "nodal axis" is the Interoceanic Multimodal Corridor. The programme consists of a set of projects, including the renovation of the Isthmus of Tehuantepec Railway, the Jáltipan Salina Cruz gas pipeline, and the creation of "free zones", and is a model of territorial planning that aims to establish specific areas in which to set-up the projects and attract national and foreign investment in the framework of public-private partnerships (PPP). For the government, this programme is considered to be a "new development model" (SHCP, 2019).

In order to address this, community resistance is based upon demanding respect for their right to decide on the territory and to define the activities to be carried out there. The main concerns about the project have to do with its impact on the environment, the local economy, and the use of the project to expand extractive energy projects that have already impacted on the soil, water, and wildlife in the region. The role of women has been central in this struggle, and they have highlighted the impact, strengthened the union of organisational processes, and developed proposals for the collective well-being of the region.

The chapter is structured as follows: it begins by explaining the context of PPPs in Mexico. Then, it analyses what "free zones" mean and their previous context. In the third section, it reviews the characteristics of two extractive projects in the corridor, namely, the

gas pipeline and the railway, their main power actors, and the context of community resistance that is currently being organised against these projects. Finally, it analyses their impact on the territories from a feminist approach to this territorial conflict.

With this research, we seek to contribute to the work of the female social leaders in Veracruz and Oaxaca, and, in general, to the work of the community organisations which are currently engaged in a struggle for their right to territorial autonomy, to defend the environment, and to fight for a notion of well-being that goes beyond the prevailing development model.

2. PUBLIC-PRIVATE PARTNERSHIPS IN MEXICO

In Latin America, public-private partnerships (PPPs) had a special boom in the 1990s, as a result of a context of economic liberalisation and privatisation especially aimed at the region with a view to implementing development policies based upon economic growth, which, under the neo-liberal approach, was hampered by the state's regulatory frameworks or, as the World Bank mentions, by "the limitations of public provision", such as the "lack of technical skills, [and] slow procurement processes and budget constraints" (Michelitsch and Szwedzki, 2017). Faced with this, the proposed solution consisted in combining public and private capital, that is to say, to form PPPs, in order to stimulate growth, and give efficiency and sustainability to the supply of public goods and services, (World Bank, 2017), including those corresponding to the sectors of infrastructure, energy, agriculture, education, health, and security, among others.

In Mexico, the first PPP model was the Deferred Infrastructure Projects in the Expenditure Register (PIDIREGAS), created after the reform of the Budget, Accounting and Public Expenditure Law in 1995. These partnerships were initially aimed at the infrastructure sector and consisted of granting private companies the execution of works with which investments are carried out on behalf of public entities (PIAPPEM, ND). The financial scheme initially designed was to "Build, Lease and Transfer", by which the state assumes the commitment to buy the goods and services built by private companies (PIAPPEM, ND). Thus, mainly infrastructure projects were carried out, in which the participation of the Federal Electricity Commission (CFE) and *Petróleos Mexicanos* (PEMEX) was prominent. It has been stated that "the necessary investment to maintain the energy sector would not have been feasible without the association with the private sector" (PIAPPEM, ND: p. 23). Numerous road infrastructure projects were also carried out.

Later, in 2002, another scheme called “Projects for the Provision of Services” began to be used, designed with the purpose of “increasing the amount of public resources allocated to other priority areas of social impact” (PIAPPEM, ND: p. 4). In other words, private capital would no longer be used only for the construction of roads and infrastructure, but also for health, education, water, security, culture, and sport. Until then, the regulation of PPPs worked through reforms to the Budget, Accounting and Public Expenditure Law, the General Law on Public Debt, and the Federal Law of Budget and Fiscal Responsibility.

In 2012, a unified regulatory framework was formulated for the first time, the Public-Private Partnerships Law, which defines these projects as:

“those that are carried out under any scheme to establish a contractual relationship between public sector entities and the private sector, for the provision of services to the public sector, wholesalers, intermediaries or the end user, and in which infrastructure provided totally or partially by the private sector is used with the aim of increasing social welfare and investment levels in the country.” (Chamber of Deputies, 2012)



Figure 1: PPP Modalities in Mexico

Source: Prepared by the author based upon information from the Centre for Public Finance Studies (CEFP, 2016).

Between 2010 and 2017, almost all states or sub-national¹ entities constituted their own legislation to regulate PPP contracts; currently, only two states, Tlaxcala and Zacatecas, do not have a specific law (SHCP, 2017). In general, the most common PPP schemes are concessions and projects for the provision of services (PPS) (CEFP, 2016). Concessions consist of transferring the responsibility for a productive asset from the public sector to a private company for periods of more than ten years (CEFP, 2016), while PPS are defined as “sets of technical-economic actions that are developed by a private individual to resolve basic needs and provide the community with the services or functions that are originally the duty of the state to provide, which are indispensable to guarantee the effectiveness of individual and collective rights” (Government of Jalisco, 2008). Both modalities are similar, although the first is more common in contracts relating to the exploration and the exploitation of natural resources.

With this regulation and approach, it is assumed that the states have a permanent difficulty in guaranteeing public goods and services and that they are unable to allocate resources adequately, a situation which can only be solved with the intervention of private capital. However, this formula has not necessarily guaranteed the success of the projects; on the contrary, on occasions, PPPs have led to territorial conflicts and have not always been financially effective. For example, the PPP to build the Chinchero International Airport in Cuzco, Peru, did not consult the communities and approved an addendum to the project plan which established that the state assumed most of the risks involved in the project. This raised the cost and generated a strong conflict that ended in the cancellation of the contract and the public maintenance of a project that did not fulfil its objective (Salazar, 2018). A similar case occurred in Colombia with the Magdalena River Navigability Project. The project had a clause according to which the company had to be compensated by the state in the event that it had to carry out a consultation process to obtain the environmental permit. The company allocated resources for compensation in the event of environmental damage, without carrying out a proper environmental impact assessment. As a result, it did not cover all the necessary costs in the compensation, shifting the responsibility to the Colombian state which, in addition, did not adequately address the damage caused to the river and its surroundings (Cruz. Environment and Society Association, 2018).

For its part, the Mexican state has recognised that the hidden problems of PPSs lie in the fact that the profitability or the percentage of profit required by the private sector is much higher than that of the public sector, and, therefore, public finances are affected. The goal of

private profit requires profit margins that make projects more costly, which affects the government's ability to maintain the services offered. The contracts for these projects tend to be of long-term duration, often more than a decade, and, since they are managed by private companies, they are subject to changes in investment strategies, in the internal organisation of the companies, their boards of directors and owners (CEPF, 2007). PPPs “emerge when a private investor or the government identifies an opportunity, but they do not necessarily respond to fully identified urgent needs” (CEPF, 2007: p. 12).

The operation of PPPs depends on the transfer of the rights to public resources or assets, among which land ownership is the primary interest, to the private sector, and the state must ensure that there are no “third party claims to the land to be used for a project” (Public-Private-Partnership Legal Resource Centre, 2019). Conflicts may arise because of the fact that many areas of land identified for the operation of energy and infrastructure projects in Latin America are owned by the peasants and by indigenous people, and form an autonomous social, cultural, and economic space that does not necessarily coincide with the private interest in an “investment opportunity”, and triggers the dynamics of dispossession and displacement.

Another conflict that PPPs can produce has to do with the environmental impact caused by the projects. According to the World Bank recommendations, “it is important for the government to determine whether the detrimental impact on the environment or on society from a project outweighs its potential benefits and, where a project is necessary, how the environmental and/or social impact can be kept to a minimum”.² However, experience in Mexico indicates that environmental authorisation and permits are granted even when serious impact on ecosystems is demonstrated; and projects are even authorised to companies that have already caused environmental disasters.³ Likewise, environmental legislation allows the selfsame companies to determine - often at their own discretion - the very measures of mitigation and compensation to be awarded for any damage for which they are liable, which, in many cases, are lax, inexistent, or unfeasible, when one takes into account the fact that the environmental impact can cause irreversible effects to ecosystems.⁴

For example, in Coahuila and Veracruz, in the north and south of Mexico respectively, the PPP between the municipal authorities and the company Agbar, from Barcelona, was justified in order to “improve water accessibility”. However, not only did it privatise this public good, but it also led to its over-exploitation and a subsequent lack of

supply, since the company altered the data relating to the availability of water in the basin, and harassed the community that denounced the fact (PODER, 2019). Something similar happened with the project to build the Naucalpan-Toluca highway, a concession granted to Group Higa, of Mexican origin, which was designed to cross a natural reserve and the territory of the Otomi indigenous community in the state of Mexico. In 2016, the National Human Rights Commission concluded that the project violated the rights of the inhabitants by starting without prior consultation and consent; it also showed that the company violated judicial agreements and intimidated the indigenous communities (CNDH, 2016).

PPPs are schemes that can favour the corporate capture of the state, understood as a phenomenon in which an economic élite makes public-policy decisions for private benefit, beyond the common welfare. When this happens, “the realization of fundamental human and environmental rights is undermined through the exercise of undue influence on institutions” (ESCR-Net, ND).

PPPs can also result from corporate capture when there is political and legislative interference, *i.e.*, pressure exerted by companies on legislatures in order to “provide better business opportunities or eliminate or weaken regulation of corporate activities”. This can also occur when there is a movement of employees from the corporate sector to positions of public regulators and *vice versa* for the purpose of facilitating regulatory frameworks and business-friendly contracts, *i.e.*, revolving-door dynamics, as well as when companies manipulate communities, interfere in the judicial system, and privatise public security services.⁵

Currently, Mexico is part of the UN global agreement entitled the “2030 Agenda for Sustainable Development”, and has formed the National Council of the 2030 Agenda (*Consejo Nacional de la Agenda 2020*). This agenda has promoted the implementation of PPPs in Latin America, as they are considered to be a valid strategy to achieve sustainable development and to eradicate poverty. In November 2019, the National Council presented the “National Strategy for the Implementation of the 2030 Agenda”, in which it states that one of the principles that will allow the achievement of the Sustainable Development Goals (SDGs) is that of “multi-stakeholder alliances”, which refer to the co-ordination between actors from different levels of government and the private sector, among others. For the government, this co-ordination is necessary because it affirms that “the public sector cannot, by itself, induce the necessary transformations to achieve the SDGs” (Presidency of the Republic, 2019). In other words, one of the principles of the National Strategy is the formation of PPPs with the

purpose of increasing investment for sustainable development by means of “pipelines”.⁶ These seek to articulate national and international funds with projects for the provision of services, and to prepare an analysis of the Social Infrastructure Contribution Funds, that is, to use private investment for the provision of public goods and services.

2.1. The Isthmus Corridor, a “Historical PPP”

The Isthmus Corridor was officially announced by the Ministry of Finance and Public Credit (SHCP) at the beginning of the current government period with the presentation of a Development Programme for the Isthmus of Tehuantepec during the Bi-national Infrastructure Conference held on 17 June 2019.⁷ According to what was presented that day, the programme seeks to promote a new way of seeing development, to reduce the stagnation caused by lack of investment, to generate jobs, and to preserve, restore and increase natural resources and biodiversity. This is considered to be a “historical public and private investment” (SHCP, 2019).

Table 1: Projects that make up the Tehuantepec Development Programme

Tabla 1: proyectos que componen el Programa de Desarrollo del Istmo de Tehuantepec
Construcción de nueva terminal de contenedores en el puerto de Coatzacoalcos y Salina Cruz. Modernización del Puerto petrolero y construcción de un puerto industrial en Salina Cruz
Rehabilitación de la vía férrea del istmo
Construcción del circuito transístmico-ampliación troncal Palomares-Matías Romero
Establecer 6 Polígonos de Bienestar para el Desarrollo en los municipios Acayucan, Minantitlán, Matías Romero, Ciudad Ixtepec, Coatzacoalcos y Salina Cruz
Construcción, operación y mantenimiento del Gasoducto Jáltipan-Salina Cruz
Desarrollo de centrales eólicas para la generación eléctrica en la región de Ixtepec en Oaxaca.
Mantenimiento y rehabilitación de las refinerías de Minantitlán y Salina Cruz

Source: Prepared by the author with data from the SHCP and the National Bank of Public Works and Services, Banobras (SHCP, 2019).

These projects operate through a multimodal corridor, the **Interoceanic Corridor of the Isthmus of Tehuantepec**, constituted by decree as a de-centralised public body whose objective is to “implement a logistics platform that integrates the provision of port management services and their interconnection through rail transport” (SEGOB, 2019b) by means of public and private investment. It has the capacity to enact the legal acts that it

considers necessary to “promote the region’s productive capacity and modernise the physical infrastructure” (SEGOB, 2019b).

The corridor works as a free zone that guarantees participation and support from state and municipal governments, a regulatory improvement that implies procedural diligence for application for concessions, PPS and legal certainty for investments. Within the free zone, the companies operating there have a 30 per cent reduction in income tax, a 16 per cent decrease in value added tax (VAT), and will have a reduction in the price of fuel (SHCP, 2019). In June, President López Obrador announced that “as part of this project, 10 industrial parks of between 500 and 1,000 hectares will be built” (López Obrador, 2020).

The Isthmus Corridor is an interesting example of how PPPs work, as it is justified by the government as a project that will generate social welfare, and seeks to legitimise itself as a necessary scheme for a region with high poverty rates. It is composed of several projects (see Table 1) defined in the long-term using the existing public infrastructure, such as the Isthmus railway operated by the state-owned majority holding company, *Ferrocarril del Istmo de Tehuantepec S.A de C.V.* (SCT, no date) and the Jáltipan-Salina Cruz gas pipeline, administered by the National Natural Gas Control Centre, CENAGAS (SHCP and BANOBRAS, ND).

Both projects involve re-habilitation, operation, design, construction, and maintenance. The railway has currently been tendered to six private companies, some in a consortium, and the gas pipeline is in the process of being awarded under the concession scheme. In both cases, the private companies will be the ones that build, maintain, and operate the services.

3. MEGA-PROJECTS IN THE MULTIMODAL CORRIDOR

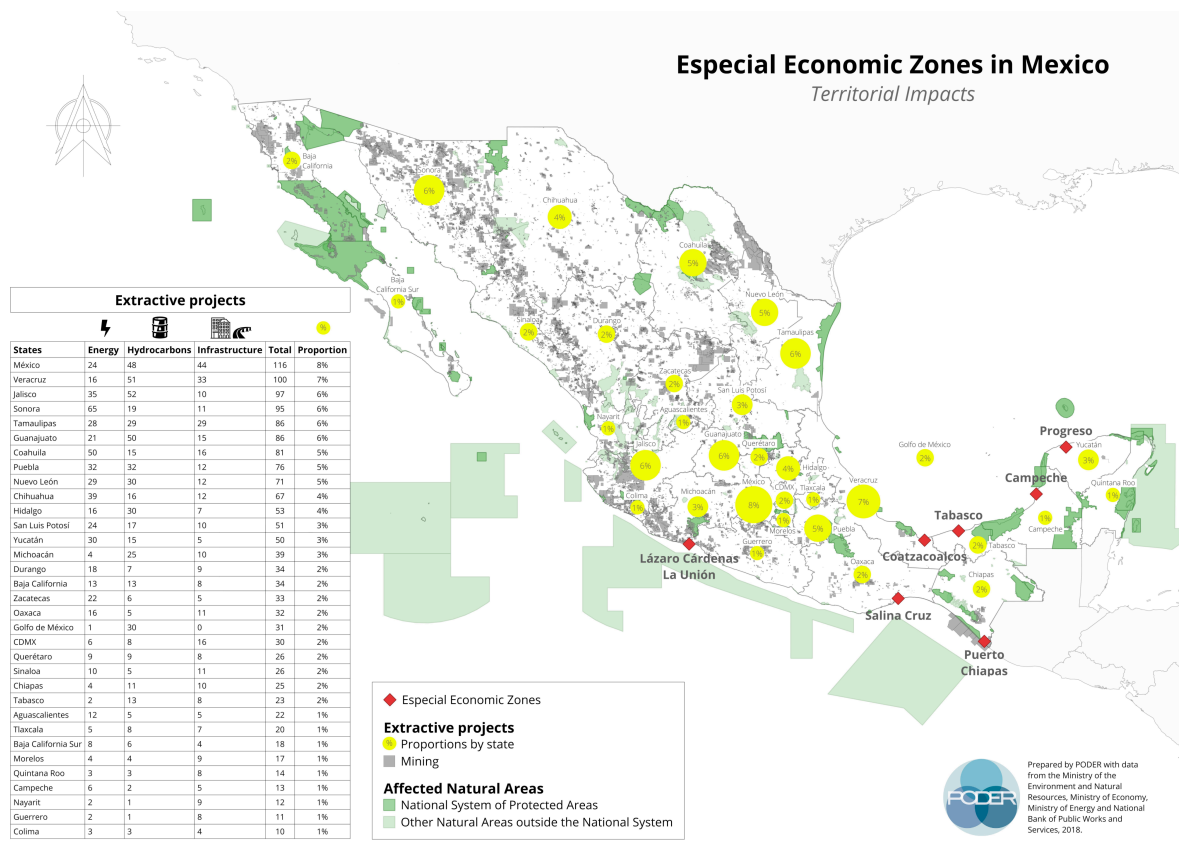
3.1. From Special Economic Zones to Free Zones

In September 2015, the Special Economic Zones (SEZ) bill was submitted to the Congress of the Union (Gaceta Parlamentaria no. 4372-VIII, 2015). On 1 June, 2016, the Federal Law was approved, and, on 30 June, the Federal Authority for the Development of Special Economic Zones⁸ and the Regulations of the same law were created. To carry out the above, a constitutional reform had previously been made to Articles 25 and 26 (Chamber of Deputies of the Honourable Congress of the Union, 2017) referring to the role of the state in national development. The concept of competitiveness was incorporated as a guideline to promote the performance of the private sector in national economic development, which also allowed that,

through the head of the Federal Executive Branch, a national policy of industrial development be established within the framework of the System of Democratic Planning for National Development (Gaceta Parlamentaria no. 4372-VIII, 2015). This bill was presented by then President Enrique Peña Nieto,⁹ who indicated that “the development and boost of the zones constitute a policy of economic promotion and industrial development”.

Since the energy reform of 2013,¹⁰ it is part of the fundamental rule that the Mexican state safeguards the performance of the private sector so that the objectives of national planning can be designed according to the interest of the sector in question. The SEZs were part of the package that sustained this government policy and laid the foundations to maintain it in the future. Its operation had been determined through declaratory decrees for seven zones: Coatzacoalcos, Salina Cruz, Puerto Chiapas, Lázaro Cardenas-La Unión, Progreso, Campeche, and Tabasco.

As can be seen in the map below, these zones were intended to be located in strategic commercial and productive points in southern Mexico. Around them, there are conglomerates of mining concessions and allocations and contracts for hydrocarbons, wind energy, and hydroelectric power, as well as important areas of environmental protection and conservation.



Map 1: Special Economic Zones Project in Mexico

Source: Prepared by PODER with data from the Ministry of the Environment and Natural Resources, the Ministry of Economy, the Ministry of Energy and the National Bank of Public Works and Services, 2018.

In 2019, the current government abolished the decrees creating these economic zones, leaving their operation without legal viability (SEGOB, 2019a). However, a year earlier, Rafael Marín Mollinedo (AFDZEE, 2018d) had been appointed as the head of the Tehuantepec Isthmus Development Programme, and had announced the creation of a free zone throughout the isthmus, a format that has very similar characteristics to those of the economic zones, but without its own regulatory framework. The format of the free zones had been decreed in 1981 specifically for the border regions (SEGOB, 1981); however, for the free zone of the isthmus, a separate decree will be created, which has not been published to date.

Even if these decrees were to be repealed, the projects - for at least two special economic zones - would nonetheless remain in place: Salina Cruz, located in the state of Oaxaca, and Coatzacoalcos, in the state of Veracruz. Only that, on this occasion, they would be part of the mega-project called the Interoceanic Corridor of the Isthmus of Tehuantepec.

Both the Free Zones and the Economic Zones are formats that arrange the territory based upon a notion of development anchored to economic growth through investment, mainly foreign. Their characteristics should be that the state guarantees entrepreneurs freedom from taxes and tariffs, tax benefits and infrastructure, labour flexibility, and legal security for the acquisition and purchase of the land. Within the Corridor, these benefits are seen as incentives that should be promoted by the competent authorities.¹¹

In implementing them, there is a risk that the private sector will replace the role of the state in the territories, under the premise that, only by this means can employment be generated, and poverty and inequality reduced. This way of understanding development favours territorial conflicts and disputes between the local communities and the companies resources, primarily water, and the environment. They are a consequence of the assumption that private interests are the same as public and collective interests, and of designing regulatory frameworks that guarantee privileges to large businesses, which does not ensure the social and collective well-being in regions where there is inequality, but does ensure economic benefit for those who operate in these zones.

To date, only the documents of the decree creating the Corridor and its statute are public (Corredor Interoceánico del Istmo de Tehuantepec, 2020b). Financial and contract

information has been published sporadically. For example, it was not until 7 June 2020 that it was officially published that “for the rehabilitation of the railroad tracks, investments exceeding 20 billion pesos in the period 2019 - 2022 will be made” (Corredor Interoceánico del Istmo de Tehuantepec, 2020a).

Since it does not have basic operation guidelines, the configuration of the free zone in the isthmus is subject to the decisions that the Corridor, as an organism, takes with regard to the general development of the project. This makes it difficult for communities and citizens to obtain clear information and exercise control over the operation of the zone, and leads to ambiguities in the enforcement of agrarian and fiscal environmental regulations, all of which are used by companies in order to ensure the success of their investments.

3.2. The Isthmus of Tehuantepec Railway

This project consists of the re-habilitation of the 206 kilometre railway line between the state of Veracruz and the state of Oaxaca. To date, six contracts are known to have been granted for the re-habilitation of 146.3 kilometres of railway line from the entrance of Salina Cruz to the junction of Medias Aguas, contracts to be carried out under the PPS scheme. Between January and February 2020, the SHCP presented the results of the ruling in which these contracts were awarded to six companies with their respective consortiums (FIT, 2020). Table 2 below shows the main beneficiaries.

Table 2: The Main Beneficiaries Companies of the FIT Re-habilitation.

Tramo	Subsidiarias	Empresa matriz	País de origen	Propietarios
Medias Aguas-Ubero	Construcciones Urales S.A de C.V. asociada con Regiomontana de Construcción y Servicios S.A.P.I. de C.V.			Manuel Contreras Ramos , Presidente.
Ubero-Mogoñe	La Peninsular Compañía Constructora S.A de C.V. asociada con Caltia Conseciones S.A de C.V., Grupo Emprendedor Caltia S.A.P.I. de C.V. y Ferropartes Industriales del Norte S.A de C.V.			Carlos Hank Rhon , Presidente del Consejo de Administración
Mogoñe-La Mata	Ferro Maz S.A de C.V. asociada con Constructora Torres y Asociados S.A de C.V., Constructor Janus S.A de C.V. y Chiñas Construcciones S.A de C.V.	Consorcio Ferro Maz		Fernando Abel Altamiro Becerra. Sólo datos existentes en el registro público de comercio mexicano
La Mata-Colonia Jordán	Comsa Infraestructura S.A de C.V. asociada con Grupo Constructor Diamante S.A de C.V.			Jorge Miarnau Monserrat, Presidente. Familia Miarnau dueña del 50% de capital.
Supervisión Técnica del tramo Mogoñe-La Mata	Coordinación técnico administrativa de Obras, S.A de C.V. asociada con Colinas de Buen S.A de C.V.			Juan José Risoul Rosan , Presidente.
Colonia Jordán-Salina Cruz	Construcciones y Maquinaria SEF, S.A de C.V.			Hasta el momento no cuenta con información pública registrada

Source: Prepared by the author with data from the Ministry of Finance and Public Credit, CompraNet 2020 (FIT, 2020).¹²

There are two Spanish companies with contracts in their name. Although the Hermes S.A de C.V Group is to be in charge of the Ubero-Mogoñe route, among the beneficiaries of this contract there is also a Spanish company, Caltia, which belongs to the Copasa Group, with headquarters in Galicia, whose president and majority shareholder is José Luis Suárez Gutiérrez (COPASA, 2019). This group was in charge of the expansion of the port in Veracruz, a project considered to be strategic for the movement of oil products in the region (COPASA, 2016). The port was challenged by the inhabitants of Veracruz in 2017 for not taking into account the cumulative environmental impact of the project, and omitting the existence of a coral reef in the area (CEMDA, 2017).

The SACMAG Group was not only to be in charge of the supervision of the work in the Mogoñe-La Mata section, but would also participate in the re-habilitation of the stretch from Salina Cruz to Medias Aguas (FIT, 2019b). In 2015, the SACMAG Group, a partner of the Dutch company Netherlands Airport Consultants BV., or NACO, was one of the companies contracted for the work of the New International Airport in Mexico City (Lamberti and Rothstein, 2017). However, the Azvi Group is also a beneficiary of the Maya Train (FIT, 2020), having been awarded the contract to carry out the work on Section Three of the project.¹³

The SEF group is known in the Mexican rail industry for being one of the main sellers of Ferromex (Ferromex, ND), a company that belongs to Mexico Group, the fourth largest company in the country. Ferro Maz S.A de C.V. is organised as an open-end stock corporation registered in June 2019 to carry out integral projects for the construction and maintenance of railway lines, among other tasks.¹⁴ It is likely that this company was incorporated to participate in this project as a front for a larger business group.

On the other hand, it was identified that in 2019 the Auxiliary and Urban Surveillance Corps of the State of Mexico was also awarded a contract to provide security and surveillance services in the sections and buildings of the FIT, in addition to the railway lines of Chiapas Mayab (FIT, 2019a), a line that could be used to complement the route of the Maya Train. This surveillance company has been questioned for possible acts of corruption during the past government (SinEmbargo, 2020) and for violating the human rights of Central American migrants (CNDH, 2019a).

Between 1 January 2019 and 5 March 2020, the Ministry of the Environment and Natural Resources (SEMARNAT, ND)¹⁵ reported having received only three requests for environmental authorisation for the operation of three sections. However, they do not correspond to any of the six projects for which contracts have been awarded.¹⁶ These could be additional routes, which are currently under the responsibility of Ferrocarril del Istmo de Tehuantepec S.A de C.V (FIT). For the other six projects, their environmental authorisations have not been published to date, so there is no information on the environmental impact or social and cultural impacts of the project.

The main objective of the re-habilitation of this railway track is “to build a 300 km double-track electric train to connect the two ports in three hours, so that shipping companies save time and money” (CESOP, 2019).

The re-habilitation and maintenance of the track allows a fundamental objective of the Corridor programme to be achieved, to wit, the guaranteeing of the intermodal loading terminal “PEARSON” located in Oaxaca to perform the work of loading and unloading of the goods that will be transferred to the port in Salina Cruz and Coatzacoalcos (SCT, ND). At the moment, the main goods transported on this track are industrial: cement, iron, non-metallic minerals, and wood (CESOP, 2019: p. 11). The railway is one of the infrastructure projects of the extractive agenda for the south of the country in order to consolidate the energy corridor in the region.

3.3. The Jáltipan-Salina Cruz Gas Pipeline

Unlike the railway, for the gas pipeline, no concession has been announced or published to date. However, the National Agency for Industrial Safety and Environmental Protection of the Hydrocarbon Sector (ASEA) confirmed that there has been a request for environmental authorisation since 2015 for the development of a project called “*P.M.I Cinturón Transoceánico Gas Natural Jáltipan-Salina Cruz*” located in the isthmus. However, this procedure request has been suspended because the promoter company (which shares the name of the project), notified that it was withdrawing from the project and it was re-allocated to the National Centre for Natural Gas Control (CENAGAS).¹⁷

This gas pipeline is part of the Five-Year Plan for the Expansion of the National Integrated Natural Gas Transportation and Storage System 2015-2019. It is considered one of the strategic projects with the aim of “extending the coverage of the gasification system and detonating new markets” (SENER, 2015). It is 247 kilometres long and had an estimated investment of 643,000,000 USD by 2019. According to the information available as of June of that year, the gas pipeline is partially operating with a diameter of 12 inches and a capacity of 90 million cubic feet per day (SHCP and BANOBRAS, ND). Currently, this information has not been modified in its technical file, which means that, if it were to remain in operation, it would be doing so without an environmental permit. The Mexican environmental authority has not registered authorisation resolutions for the project,¹⁸ and the Ministry of Energy (SENER) has not stated whether it already has or has applied for a Social Impact Evaluation (a requirement for the project to operate).¹⁹

For this PPP, the type of contract is a concession for 20 years that will be granted through public bidding with greenfield investment (SHCP and BANOBRAS, ND), that is, a foreign direct investment (FDI) in which the investor normally has control of the production, design, and installation of the works. However, the works will come under public control and administration upon completion of the contract, unless it is renewed.²⁰ According to the Five-Year Plan, the gas pipeline has been planned as a source of natural gas supply for a refinery, a co-generation plant and a liquefaction plant in Salina Cruz,²¹ as well as for export to Central America (SENER, 2015). The project remains in force within the framework of the new SISTRANGAS Five-Year Expansion Plan 2019-2024.²²

With regard to its role within the mega-project of the isthmus, the National Hydrocarbons Commission (CNH) indicated that this gas pipeline aims to ensure the supply

of natural gas for 10 industrial estates/parks along the corridor.²³ This means that, once the concession is made, its transport capacity will be increased. In addition, it indicated that its characteristics of operation and industrial and commercial projection coincided with those raised in the opinion created for the Special Economic Zone of Salina Cruz.²⁴ Thus, the industrial estates/parks that will be installed and supplied with gas will develop the activities corresponding to the electrical, metal-mechanical, textile and agro-industrial sectors. Likewise, hydroelectric and geothermal plants will be installed to consolidate a regional energy corridor (AFDZEE, 2018c).

The Special Economic Zone of Coatzacoalcos, in Veracruz, was projected in its ruling for the operation of activities in the automotive, petrochemical, aluminium, and forestry industries. This zone is considered as a pole of raw-material generation and processing for oil refining and new natural gas deposits. Currently, there are the gas and petrochemical projects of PEMEX, a company of Mexican origin, and PETROSUB, of English origin, operating there (AFDZEE, 2018b). This area is considered as “an opportunity to exploit the isthmus as an energy-industrial corridor, adding value to inputs of Asian origin in order to commercialise them in the NAFTA (North American Free Trade Agreement) market” (AFDZEE, 2018a: p. 105).

Based upon the information presented in the opinions for the Special Economic Zones of Oaxaca and Veracruz, the probable routes to commercialise the production transported by the Corridor are the United States, Belgium, Brazil, Argentina, China, and Central America.

4. TERRITORIAL IMPACT

4.1. A Mega-project without Consent

“Today, we are told that our peoples will benefit from this railway, but the most urgent thing for us is that there should be drinking water, support for agricultural producers, artisans, small traders and equipped hospitals.” (Agencia de Noticias, 2020)

Ten indigenous peoples²⁵ live in the region of the isthmus, which together make up the 100,962 inhabitants within the six polygons projected for the corridor. The area of influence is made up of 79 municipalities, 33 in Veracruz and 46 in Oaxaca, within which there are also Afro-Mexican and peasant peoples.

Table 3: Indigenous Population in the Isthmus

Polígonos en Veracruz	Municipios	Población	Total
Acayucan	Acayucan	7,642	49,256
Coatzacoalcos	Coatzacoalcos	16,255	
Minantitlán	Minantitlán	12,300	
	Cosoleacaque	13,059	
			
Ciudad Ixtepec	Ciudad Ixtepec	11,507	51,706
	El Espinal	6,389	
	Asunción		
	Ixtaltepec	10,613	
Matías Romero	Matías Romero	10,360	
	El Barrio de la Soledad	1,581	
Salina Cruz	Salina Cruz	11,256	
			
		100,962	

Source: Prepared by the author with information from the SHCP (SHCP, 2019) and data from the catalogue of indigenous communities, 2010 (Comisión Nacional para el Desarrollo de los Pueblos Indígenas, 2010).

Currently, this programme does not have the consent of the communities. Between March and April 2019, the SHCP, together with the National Institute of Indigenous Peoples (INPI), published calls for what they called “regional consultative assemblies” on the creation of the Development Programme for the Isthmus of Tehuantepec. However, the communities in the region complain that these are not their legitimate decision-making mechanisms. They argue that the meetings were flawed, and violated their right to procedures carried out in good faith and in culturally adequate ways that are conducive to free, prior and informed consent (CNDH, 2019b). In response, the National Human Rights Commission requested precautionary measures (CNDH, 2019b). However, consultations were resumed and the decentralised public body was established. Once again, the indigenous peoples denounced that this was an irregular measure and filed a constitutional lawsuit challenging this decree.²⁶

In April 2019, female human-rights defenders in Veracruz stated that the consultations had been held without ensuring that their representatives were adequately informed. The authorities in charge only presented the general objectives of the development programme and declined to go into detail on the projects that are part of it, including the railway and the gas pipeline.²⁷

On 11 June 2020, the Community Assembly, which includes the five Oaxacan municipalities affected by the mega-project, addressed a letter to the Presidency of the Republic, in which they stated that the health emergency caused by the Covid-19 pandemic is being used to carry out activities related to the re-habilitation of the railway without respecting the community authorities. This has generated a danger of contagion; for this reason, they demanded that such activities be suspended (Agencia de Noticias, 2020).

In addition, they denounced that “*the participation of women in the consultative assemblies held by the federal government has not been seen, women have not been included or informed on how the mega-project will affect us*” (Mujeres del Istmo, 2019). This situation worsens the conflict, not only because it does not have the authorisation of the peoples, but also because it does not favour adequate mechanisms for the women defenders to make decisions about the territories. In most cases, the community authorities are men who, in addition to being inadequately consulted, are considered to be the only reference-point for community decision-making. In Oaxaca in 2019, of 473,453 certified landowners, only 133,456 were women. And in Veracruz, of 426,643 certified landowners, only 106,572 were women (RAN, 2019).

The indigenous consultation is a mechanism that may or may not accept a project in the legitimate exercise of the autonomy of the peoples. Thus, one of the main forms of impact of the mega-project of the isthmus is how it affects their territorial autonomy, that is, the fact that it is not recognised that there is a social claim and struggle against this vision of development.

4.2. From Biological Corridor to Commercial Corridor

Oaxaca and Veracruz hold the first and third place, respectively, as the states with the greatest biodiversity in Mexico. Oaxaca is characterised by having more than half of its territory covered by forests and having exclusive species of fauna and flora thanks to its variety of environmental conditions. The Papaloapan and Grijalva rivers, two of the most important rivers in the country, are also located in this territory (CONABIO, 2018). Veracruz, on the other hand, is characterised by diverse altitudinal levels and a great variety of climates that are the source of its biodiverse potential. Its water assets are abundant, and the Coatzacoalcos river stands out for having a great part of the diversity of the fish in the state (CONABIO, 2013).

Currently, the main threats to these ecosystems have to do with the expansion of the agricultural frontier caused by large extensions of monocultures, oil industry activities that contaminate water sources, the de-forestation generated by the cutting and looting of wood, and “the opening of roads, oil wells, power lines, and other works that seriously affect biological flows by cutting off connectivity between fragments of vegetation” (CONABIO, 2013: p. 45). Infrastructure projects do not consider medium- and long-term mitigation measures, concentrating, most of the time, only on solving the initial and final aspects of the project realisation (CONABIO, 2013: p; 45), that is, they focus on the forms of impact that the company may identify during the construction phase and do not take into account or monitor those that are generated and accumulated due to its operation, forms of impact which cause severe damage that is often difficult or impossible to restore or reverse.

In addition, mining activities drastically modify landscapes and alter natural biological corridors, causing irreversible impact on these ecosystems. This situation is similar to the forms of impact caused by the energy industry in the region, particularly in Oaxaca, where 62 per cent of all wind energy generated in Mexico is produced (*El Universal*, 2020b). Wind farms affect the passage of birds and bats, erode soils through the use of spilled oils and solvents, encourage changes in land use for food production, and generate conflicts over land (*El Universal*, 2020a).

In 2018, the General Directorate of Mines reported 315 mining concessions in force in Oaxaca, most of which are for the exploration and exploitation of gold and silver, and 83 concessions in Veracruz, most of which are for the exploration and exploitation of silver and copper.²⁸ Between 2015 and 2019, SENER indicated that 20 energy projects in Oaxaca and 35 in Veracruz have presented Social Impact Assessments for the authorisation of wind, hydroelectric, photovoltaic, and gas pipeline generation.²⁹

Áreas de Importancia para la Conservación de las Aves:

Los Tuxtlas (487 especies), Sierra Norte (485 especies), Uxpanapa (341 especies), Chimalapas (432 especies), Istmo de Tehuantepec-Mar Muerto (169 especies).

Ecorregiones:

selvas cálido húmedas, selvas cálido secas y sierras templadas. Estas ecorregiones conforman un gran ecosistema que une a Veracruz y Oaxaca con otros estados como Tabasco, Quintana Roo, Yucatán y Chiapas.

Regiones Hidrológicas Prioritarias:

Papaloapan, Tehuantepec y Costa de Oaxaca.

Fauna endémica:

274 especies de fauna que sólo existen en esta región y se encuentran bajo la categoría de alto riesgo y prioridad para la protección Nacional.

Figure 2: Areas of Environmental Relevance in the Isthmus.

Source: Prepared by the author based on information from Conabio, (National Commission for the Knowledge and Use of Biodiversity (CONABIO, ND). Semarnat, (SEMARNAT, ND) FIT MIA and gas pipeline MIA³⁰.

The Interoceanic Corridor could further affect the ecosystems of the isthmus by favouring the consolidation of more extractive projects and serving as a hub for their operation and reduction of operating costs. Between January 2018 and January 2020, SEMARNAT reported the issuing of eleven Environmental Impact Statements (MIAs) to apply for environmental permits for wind, electric, and hydroelectric power-generation projects in Oaxaca, five of which have already been authorised, and two MIAs for photovoltaic projects in Veracruz, which have also been authorised. For the mining sector, it reported two MIAs for the exploitation of non-metallic minerals in Oaxaca and one in Veracruz, two of which were authorised.³¹

4.3. Resistance and Re-existence

The mega-project of the isthmus is considered by the government as part of a new development model (SHCP, 2019). It states that the set of projects in the Corridor will improve the living conditions of the population, create an inclusive economy, preserve and respect the identity of the indigenous communities, and will be carried out respecting the environment (SHCP, 2019).

However, the mega-project did not start from a discussion between institutions and communities about their living conditions. The isthmus is one of the regions with the highest poverty rates in Mexico. In Oaxaca, 66.4 per cent of its population is in poverty, only 16.3

per cent has access to health services, 27 per cent lacks access to food (which means insufficient food to lead an active and healthy life), and only slightly more than half, 58.3 per cent, has access to basic housing services. In Veracruz, 67.9 per cent of the population is in poverty, 16.7 per cent has access to health services, 27 per cent lacks access to food, and only 42.1 per cent has access to basic housing services (CONEVAL, 2018). The issues mentioned in the section above should initiate a priority discussion to improve the population's living conditions; however, the mega-project has focused on promoting infrastructure and production for the extractive sectors and its first actions have been the awarding of contracts to the private sector.

The notion of an inclusive economy is so deeply anchored to the PPP schemes and the configuration of the Isthmus Free Zone that it has - as a priority - to grant benefits to companies with a regulatory framework that, as mentioned, promises agility in administrative procedures and attractive tax reductions. The “formalities” that will be accelerated are the environmental authorisation procedures, indigenous and citizen consultations, and decisions relating to land-use planning that require time for elaboration, circulation, information, participation, advocacy, and organisation of space for deliberation and dialogue between citizens and institutions. Thus, they involve periods that, if necessary, require several months, so that guaranteeing their “agility” produces a negative impact of the project on the human, territorial, and environmental rights of the communities even before it begins to operate, because the interest of the investment is superimposed upon the public interest.

The mega-project has not respected the identity of the indigenous communities because it used illegitimate mechanisms to consult them and provided incomplete information when doing so. Furthermore, the re-habilitation of the railway has not generated spaces for public consultation to inform the people in detail on the short-, medium- and long-term environmental impact of the project that is underway and the responsibility of the six companies regarding the environmental protection of the entire area.

There is a pattern of opacity with the information relating to the mega-project because it is not proactively published and is denied or delivered incomplete when requested. On several occasions, the authorities in charge of the Development Programme for the Isthmus of Tehuantepec, the FIT, and the gas pipeline, have stated that they had no responsibility or knowledge of the information, and blamed each other for failing to deliver it, making people have to request it repeatedly. Likewise, as a result of the Covid-19 pandemic, the deadlines for the delivery of information have been suspended,³² but not the operation of the projects

and the decision-making on contracts and budgets; this deliberately makes it difficult for the population to know about the project and to develop timely territorial defence strategies.

The way in which the mega-project has been designed fosters and maintains relations of domination over the territories and the population. This results in the generation of disputes between communities and companies over political, economic, and cultural interests within the territory, in other words, in territorial conflicts.

These conflicts are exacerbated for both women in general and for the women defenders in the region because the conditions of poverty are added to a context of violence and inequality within which most women “have not participated either in school or in the labour market throughout their lives” (INEGI, 2019), and more than half have faced violence relating to employment discrimination, violence from their partners, and sexual intimidation from strangers (INEGI, 2019). The year 2019 closed leaving Veracruz as the state with the highest number of femicides at national level, 125 cases (Martínez, 2019), and, in January 2020, Oaxaca was among the 10 states with the most femicides, 22 cases (*El Universal*, 2020a).

The mega-project justified in the narrative of the new development model and in the PPP scheme fails to take into account the particular conflict that it presents for the women in these two areas, a scenario which remains invisible to the government. And even if it were to recognise the statistics quoted above, since it is configured from a power relationship that imposes the notion of welfare based upon the success of private investment and economic growth directed at the extractive sector, it does not allow for critical participation by communities and even less so by women. In other words, the mega-project is essentially formulated so that this does not happen because its structural components have not been discussed and are designed and imposed in the top-down manner. This is a characteristic found in other government projects, an inclusive approach that seeks “to integrate the non-integrated into a dominant development vision, without having consulted whether this is what people aspire to, in particular, and whether they intend to be integrated into economic circuits” (Ceceña et al., 2020: p. 18).

In the face of this, it is essential to refer to community organisational processes. Currently, the experience of the struggle against mining and energy extraction in the isthmus converges with the aim of protecting what - for the women defenders in the region - is *the corridor of water and life*. The following section is the contribution to this chapter made by

the women who make up the Sierra de Santa Marta Articulation Process,³³ a network of organisations that has drawn up an agenda for resistance in this territory and a way of re-thinking the common welfare and its existence.

5. INDIGENOUS AND AFRO-DESCENDANT WOMEN WHO DEFEND THE TERRITORY IN THE ISTHMUS

The struggle of indigenous and Afro-Mestizo women of the Oaxacan and Veracruz Isthmus as social actors in resistance has been very important in the last decade. They have played a fundamental role in the struggle for territorial defence and have stood out for their dedication and commitment, being leaders in promoting strategies of resistance and defence of the territory against the incursion of wind, mining, or hydrocarbon extraction companies, as well as promoting the voice and representation of women in the various movements. The women's struggle is a struggle for life, for the autonomy and sovereignty over their territory, which not only represents a means of material support, but also has a symbolic value for their history and culture, because they have developed a sense of life, of belonging, and of their roots in the territory.

It is the women who have been leading these resistance struggles at regional level and in their alliances at national and international levels in both Veracruz and Oaxaca. Some of them are councillors in the Indigenous Council of Government of the National Indigenous Congress, where men and women from all over the country organise and fight to protect Mother Earth, their communities, and the indigenous territories, defending their autonomy, exercising the right to maintain and strengthen their own culture, ways of life, and institutions, and their right to participate effectively in the decisions that affect them.

With the Inter-oceanic Corridor of the Isthmus of Tehuantepec, the threats which had been overcome have returned and are added to the industrial parks/estates that are meant to be settled along the railway lines. It is very clear to these indigenous women that these companies are going to dispossess the communities of their territories and that the few jobs that they may generate will not compensate for the dispossession of the mountain water that the companies are going to require to operate their companies, the contamination of the water, air, and land that will result, the effects on health that this pollution is going to generate, and the increase in insecurity throughout the territories.

The women know that, with the industrial parks/estates, violence, insecurity, and crime in general, will increase, as has been seen wherever these companies arrive and where money circulates not for the people but for the businessmen, politicians, and the leaders of

organised crime. In recent years, mega-projects have increased patriarchal violence, fostered by organised crime and spread throughout society as a new culture that affects not only the family but also all areas of social life. These companies divide communities, and have effects on decision-making processes in the assemblies which represent the basis for the defence of rights, culture, and territories. This division of communities can reach the level of massacres, as in the Ikoots community of San Mateo del Mar, Oaxaca, or the burning of city-hall vehicles by the Nahua people of Tatahuicapan in southern Veracruz in June 2020.

The women are determined not to give a drop of water to what they regard as “death projects” and will continue in their efforts towards building up their own autonomy, with the processes of surveillance, radio, the planting of food which they deem to be healthy, community generation of electricity, and the strengthening of community assemblies. They have proposed alternatives to the crisis in values of today’s consumerist and individualist society, based upon principles that recognise and respect diversity in all forms of life, all forms of plant and animal life, of ecosystems, as well as all forms of human community, and all cultures that have resisted colonialism and exploitation, based upon the recognition that human beings belong to Mother Earth, but that Mother Earth does not belong to them: it is a sacred common good for all.

The women’s proposals have made it possible to criticise the patriarchal, capitalist, racist, and colonial vision of the institutions of the state, of big capital, and the femicidal macho violence of society, which consider nature, territory, and women’s bodies as “a resource or property” that can be appropriated, a commodity with a material and economic value, as opposed to the spiritual vision of indigenous peoples, and, in particular of women, which is conceived as their home, their source of food and sustenance, as a sacred space, where their roots are, where they have built their history, and where their ancestors dwell. In spite of the gender inequality that persists in the communities of indigenous and Afro-Mestizo women, which has relegated their participation and does not value their contributions, the women have not taken a stand as victims; they are rebellious women who resist, refuse to give up, and recognise the socio-environmental crisis and the threats to their territory that are coming. They propose and develop negotiation strategies and promote territorial resistance, inspired by “*women who fight*” from other latitudes, who mark the changes in order to question the traditions and customs that normalise their exclusion and subordination in their communities.

It is important to recognise the struggles of the indigenous, Afro-Mestizo and peasant women regarding the local control of productive processes and the reproduction of life processes, access to land tenure, and their participation in decisions in their own communities, as a political commitment to territory, one which recognises both their rights and the rights of nature, as well as their demands to transform the gender relations between men and women, and to transform the “civilising” process into a new life-system that recognises that everything is interconnected to nature and spirituality.

Based upon the above, it can be said that this proposal to achieve collective well-being is based upon the need to guarantee health, education, food, access to water, and environmental protection as rights. This takes place within a framework that points towards the sustainability of life, where markets are not the centre of life. Thus, the aim is to break away from dynamics in which some particular actors monopolise resources, and the very processes that re-generate life are put at risk (Pérez Orozco, 2014). This vision is not compatible with the PPP scheme as a formula to solve the problems that are caused by the same political and economic model that proposes them and which end up producing a vicious circle that maintains the same territorial conflicts, albeit with components that can vary between contexts.

6. CONCLUSIONS

PPPs have become a mechanism that has facilitated the corporate capture of the state because it gives companies the responsibility of guaranteeing a public role, which can interfere in political and administrative decision-making. This mechanism has been used as a theoretical justification to solve structural problems of the economic-growth based development model and this model configures itself through public policies as *the* way to maintain extractivism in exchange for economic benefits for the population in general. However, in Mexico, its success is not guaranteed because it raises the cost of the projects, and they have served particular investment interests rather than specific needs.

In this case, the PPP scheme and the regulatory framework (currently adapted for the functioning of the Inter-Oceanic Corridor) induces the companies to replace state functions specifically in the decision-making on the organisation of the territory, security, and the economic and productive model for the region. In consequence, decisions of public interest are taken based upon the private benefit of those who operate the projects.

The Inter-Oceanic Corridor is a project structured according to the geopolitical attraction of this Mexican region, which is seen as a commercial node for energy. Its characteristics keep it as a hegemonic development model, which gives continuity, albeit with modifications, to the neo-liberal project of the Special Economic Zones for the southern region of the country. As it is seen as a trade corridor, the ecological relevance of the region has been dismissed. Its main forms of impact are associated with the generation of territorial conflicts. Currently, the project does not have the consent of the population, and there has been little transparency in the technical and operational information about the project, which has prevented the people from being well-informed about it.

The Isthmus of Tehuantepec is a territory which is famous for its historical social struggles, struggles which have been outlined by the women defenders who currently resist the projects planned, and propose, instead, an agenda for life based upon their own notion of well-being. In order to analyse PPPs from a feminist perspective, the Mexican case provides the following dimensions: the phenomenon of the corporate capture of the state, territorial conflicts in the framework of the environmental, social, and cultural impact of the projects, and proposals for community re-existence based upon the sustainability of life.

¹ Mexico is made up of thirty-two states with legal autonomy and their own constitution.

² Public-Private-Partnership Legal Resource Centre.

³ On 6 August, 2014, Buena Vista del Cobre S.A de C.V., a subsidiary of Grupo Mexico, one of the most powerful companies in the mining and infrastructure sector in Mexico, spilled 40 million litres of acidified copper sulphate into the Bacanuchi and Sonora rivers, causing the most serious environmental disaster in the country's mining industry. Despite this, in 2016 this company began operations with environmental authorization to build a new mine tailings dam in the same area of the spill and of greater dimensions. Available at: <https://www.projectpoder.org/es/2019/07/observaciones-al-informe-preventivo-del-proyecto-nueva-presa-de-jales-para-buenvista-del-cobre-s-a-de-c-v-26so2013md082>.

⁴ In 2019, Canadian company Almaden Minerals indicated, when applying for environmental authorization to exploit gold and silver in the state of Puebla, that mitigation measures related to the control of leaks or spills and the recovery of fertile soils would be implemented "only if possible". Available at: "Regional Environmental Impact Assessment, with risk analysis. Ixtaca Mining Project, project number 21PU2019M0014", pages VII-6 and VII-7.

⁵ International Network for Economic, Social and Cultural Rights Red-DESC.

⁶ The word is used in English in the Spanish text. This is an analogy used in the field of PPP discussion to refer to the paths through which investments for a project can be channelled.

⁷ As of the date of publication of this article, the full programme has not been published or there is no document describing it in detail.

⁸ The Federal Authority for the Development of the Special Economic Zones was the "decentralized administrative body of the Ministry of Finance and Public Credit, responsible for planning, promotion, regulation and verification of the Zones". Official Gazette of the Federation, "Regulation of the Federal Law of Special Economic Zones", undated.

⁹ Mexican president during the government period from 2012 to 2018.

¹⁰ This reform redefined the role of the State and granted powers to the private sector in order to promote a new model of energy production and generation in which *Petróleos Mexicanos* and the Federal Electricity Commission could partner with private capital for the construction and operation of new refineries and to

finance, install, maintain and operate infrastructure for the provision of electricity transmission and distribution services. It also provided that the activities of this sector are strategic, of priority interest and public, so they would have priority for the occupation of the surface of the national territory. Available at: <https://www.gob.mx/sener/documentos/explicacion-ampliada-de-la-reforma-energetica>.

11 SEGOB, 2019b, Article 4-V.

12 Information on owners and beneficiaries was obtained from the companies' websites and media reports.

13 Another mega-project of the current government, located in the southeast region of Mexico, which purpose is the transportation of fuel and passengers over a distance of 1,500 km. The Isthmus Railway will be connected to the railroad line of this train.

14 Information obtained from the Public Registry of Commerce on Commercial Folio No. N-2019047000.

15 Response to the request for access to information on folio number: 0001600028720. Keys to the projects for consultation of the Environmental Impact Statements: 200A2019V0020, 200A2020V0001, 9/DC-0464/12/19.

16 I. Rehabilitation of railroad track Chivela-Lagunas, Oaxaca km Z213+550 KM Z-226+200. II. Rehabilitation of railroad track Tolosita and Salina Cruz, Oaxaca km 159+270 – 308+200. III. Rehabilitation of railroad track km 96+146 – 213+250 y 226+200 to 241+280 Oaxaca and Veracruz.

17 Response to the request for information on folio number: 1621100079220 on 20 April 2019.

18 Project key: 200A2015G0028. The status of the procedure can be consulted on the website of the Ministry of Environment and Natural Resources, available at:

<https://apps1.semarnat.gob.mx:8443/consultatramite/estado.php>.

19 Response to the request for information made to the SENER, on folio number 0001800031720 on 11 June, 2020.

20 (2012) Article 123.

21 Cogeneration is the production of electrical and thermal energy from the use of gas. Liquefaction consists of changing the gas into a liquid state.

22 Response to the request for information made to the CRE, on folio number: 1811100089229 on 11 June 2020.

23 Response to the request for information on folio number: 1800100005520 of 23 March 2020, available at: <https://www.gob.mx/cenagas/prensa/cenagas-presenta-7-acciones-para-atender-las-demandas-de-gas-natural-en-el-sur-sureste-del-pais>.

24 Response to the request for information on folio number: 1800100005520. The authority referred to consult the Opinion of the Special Economic Zone of Salina Cruz, available at:

https://www.gob.mx/cms/uploads/attachment/file/372131/Dictamen_.pdf.

25 Zapoteco, Mixe, Zoque, Huave, Chontal, Chinanteca, Mazateca, Mixteca, Popoluca, Nahuatl.

26 Writ of protection 135/2019 filed with the seventh district court of Oaxaca by representatives of the Mixe people. Information consulted in the integral information system at Human Rights Prohd Centre, available at: http://centroprohd.org.mx/sididh_2_0_alfa/?p=60860.

27 Extraordinary Regional Assembly: "Patriarchal System and Mega-Project of the Isthmus", 27-29 April 2019 in Tatahuicapan, Veracruz.

28 Response of the Ministry of Economy to the request for access to information on 27 February 2018. Folio no. 0001000009918.

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30 Response to the request for access to information to Semarnat on folio number: 0001600028720. Keys to the projects for consultation of the Environmental Impact Statements: 200A2019V0020, 200A2020V0001, 9/DC-0464/12/19.

31 Response to the request for access to information to SEMARNAT on folio number: 0001600521119, on 28 January 2020.

32 Agreements for the suspension of terms and deadlines, National Transparency Platform, available at:

https://www.plataformadetransparencia.org.mx/web/guest/vinculos_acuerdos_estados.

33 It is made up of the Network of Women of the Earth United for a Future and a Better World AC, Civil resistance against high electricity rates, the Network of community radio stations of the Sierra de Santa

Marta, the Bety Cariño human rights centre AC, Tssooka-teyoo of the Sierra AC and Defence of the Territory and strengthening of the Popoluca people, Jaraneros “Son Altepe”.

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