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Mexicali Resiste VS. Constellation Brands: Activists Demand WATER RIGHTS and FREEDOM

Water rights activists threatened with false legal accusations for protesting U.S. based multinational Alcohol Corporation, Constellation Brands



SAN FRANCISCO, CALIFORNIA (November 12, 2021) On November 9th, Mexicali Resiste led dozens of activists, including representatives from [Alcohol Justice](#), in a march on alcohol giant Constellation Brands to save three compatriots from dubious charges filed in Mexican court. These charges stem from Mexicali Resiste's work four years ago to prevent Constellation, a U.S.-based corporation with offices in San Francisco, from acquiring exclusive water rights in the drought-stricken Mexicali Valley. This trial is just the latest salvo in an ongoing struggle against Big Alcohol's takeovers of dwindling aquifers, a struggle that already has a body count. The trial is currently scheduled for the 16th of November.

"We can't pretend that alcohol harm is just a physical thing that happens to drinkers," said Cruz Avila, Executive Director of Alcohol Justice. "When Big Alcohol gets involved, it becomes economic harm. Political harm. It's another incarnation of the oppression and exploitation that has cast a long shadow over the US and its neighbors."

The San Francisco march was held to call for a boycott of Constellation and demand the company use its outside influence—it is currently in negotiations with [Mexican President Andres Manuel Lopez Obrador's administration to open a new factory elsewhere in Mexico](#)—to get the charges against Mexicali water protestors dropped. The group, which brought together both Mexico- and US-based organizations, peacefully occupied the sidewalk in front of the 101 Mission St. building where Constellation is housed, letting the affected members have their voices heard.

"We ask Constellations Brands to stop their plans to build gigantic breweries in water starved regions," stated Brenda Villanueva, Program Director - Pueblo y Salud. "This precious natural resource would best be used by the people for drinking and growing food instead of making more alcoholic beverages that are saturating and harming our youth and other members of our community."



In 2015, the governor of Baja California awarded Constellation Brands rights to draw from the aquifer in Mexicali in service of a new factory. Details of the contract were shrouded behind confidentiality clauses, but the plant was expected to produce [over 4 million bottles of beer](#) and experts estimated it would have consumed [as much as 25% of the available water reserves](#).

“We denounce the criminalization of the Mexicali Resiste Activists for choosing to protect the most sacred element for survival and a dignified quality of life – WATER,” said Mayra Jimenez, Advocacy Manager at Alcohol Justice. *“We denounce Constellation Brands for commodifying water in a region that is experiencing severe water shortage. This is an environmental catastrophe!”*

Local outrage peaked in 2017, [when over 12,000 residents of Mexicali took to the streets](#), including the members of Mexicali Resiste who now stand trial. Following the protests, they were charged with [“dispossession of state buildings”](#) and [“deprivation of liberty of the police.”](#) Investigators subsequently cleared them of the charges, but this year, as Constellation began seeking a new location for the plant, the Congress of Baja California suddenly decided to overrule the police decision and refile the charges.

The stakes are high, both for the protestors themselves and for impacted communities along the U.S.-Mexico border. For the members of Mexicali Resiste, they are being confronted with charges that the Mexican government deemed important enough to justify detention during the trial, which may last several years. For indigenous and community groups fighting water monopolization in Mexico, it adds state sanctions to existing efforts to chill resistance.

“The objectives are to instill fear in those who have not yet become protestors,” stated a Mexicali Resiste member, one of the three scheduled to be tried on Tuesday, [in a statement posted to YouTube](#).

“Through nepotism and corruption, they let these companies come into our territory and let them try and privatize and take our water and now that we are defending our water, they try to criminalize us,” said Lluvia Ania - Mexicali Resiste. *“We want tell the Mexican government and we want to tell Mexican President Andres Manuel Lopez Obrador that we see what you are doing, we see what your party is doing. We are not dumb. We are not ignorant. We see the continued repression of Activists who are defending life, who are defending water, defending territory, who are defending the future of our babies, of our children. What will this world look like without Water? We are here to continue to defend it and we want to stay alert and call out those governments who are participating in this! They came together a few days ago (UN Climate Change Conference - COP 26) to talk about global warming and climate change but did they mention how they are participating in this, how these companies are actively participating in the contamination, in the in stealing of resources for big companies? Constellation brands has had several cities in Mexico where they have created deserts out of it extracting water. We will continue fighting, we will continue bringing awareness to this situation, not just in Mexico but all of Turtle island and all of Abya Yala.”*

That fear is already there. [Óscar Eyraud Adams, a member of the Kumiai people of Baja California and a resident of Tecate \(west of Mexicali\), fought the diversion of water supplies away from local farmers to the Heineken brewery in that city. He was assassinated on the street in September 2020.](#)

The Yaqui people of neighboring Sonora state have had similar experiences, [with multiple activists being murdered in or near Ciudad Obregón](#). Now Constellation Brands is seeking to expand its Ciudad Obregón facility—and therefore its draw from the water supplies—with those activists’ blood still fresh on the streets. Now, with the reopened Mexicali Resiste trial, Mexican activists are being told in no uncertain terms they will not find protection from the government.

“Choosing to criminalize fighting for human rights is a crime against the people,” added Jimenez. *“Government officials that condone this degree of corporate extraction are complicit in crimes against humanity on both sides of the border. We STAND UP and FIGHT for JUSTICE because we are all Mexicali Resiste.”*



[As crushing droughts cripple the West of both the U.S. and Mexico](#), water-intensive industries like industrial-scale brewing take on a new and more sinister cast. The Mexicali Valley aquifer is recharged in no small part by the waters of the Colorado River, which have been largely claimed by states in the U.S. long before it reaches the border. According to researchers, [the aquifer was overdrawn by 456 million cubic meters](#)—enough water to fill 50 Levis Stadiums—in 2015, an overdraft that has undoubtedly increased during the drought.

As water tables drop, the water that goes into beer becomes an extracted, semi- or even unrenewable resource, much like oil, minerals, coal, or lumber. In the case of Constellation, [which thanks to antitrust action has the rights to sell Corona, Pacifico, and Modelo in the United States but not in Mexico](#), this is classic instance of resource exploitation—Mexican water resources are extracted by U.S. companies and shipped back over the border.

Yet water still stands alone among resources. It is the only one that the human body requires to survive. The loss of water supplies, therefore, forms an existential threat everywhere it occurs, [often taking the form of civil unrest](#).

“You cannot ignore what this means for the future of both countries,” said Avila. “Every country, even. Justice for the Mexicali Resiste members, safety for the residents of Mexican border states, accountability for Big Alcohol, and access to water are not separate issues. They are different faces of one issue, and it effects everyone in the west.”

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[#Alcohol Justice](#)

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