

The Profiteers Bulletin



Ending Canadian corporate impunity in Colombia

June 2013

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USO Files Suit Against Pacific Rubiales for violations of the right to freedom of association

Bogota - May 29, 2013- The President of the Unión Sindical Obrera (USO), Rodolfo Vecino, confirmed today that the union would file suit against the multinational oil company, Pacific Rubiales Energy, for alleged violations of the freedom of association, the freedom of assembly and conspiracy to commit a crime. Mr. Vecino added that the USO would officially file the suit at the Colombian Public Prosecutor's Office (Fiscalía General de la Nación) on Thursday, May 30, 2013 at 10 am.

According to information provided by the USO, Pacific Rubiales Energy, has systematically violated the right of oil industry workers in the municipality of Puerto Gaitán to unionize. The company has also fired more than 3,000 workers affiliated with USO, in coordination with its subcontractors in the Rubiales, Quifa and CPO12 oil fields, among others. In 2011, oil workers organized several days of protest in order to demand better working conditions; According to various accounts, the health and logistical conditions at the camps were deplorable. The oil company responded by initiating a se-



ries of firings in order to block workers who had participated in the protest from working, directly or indirectly, for Pacific Rubiales Energy.

The USO is also denouncing the fact that, since 2011, Pacific Rubiales and its subcontractors in Puerto Gaitán have systematically blocked workers affiliated with the labour union from working for any of the companies that subcontract with Pacific Rubiales Energy. According to various testimonies, the company has demanded that workers renounce their affiliation with USO in order to work for oil companies located in Puerto Gaitán.

The suit involves several companies that subcontract with Pacific Rubiales Energy, given that, according to USO, the managers of these companies have developed strategies to push the union out of the oil fields, violate the right to freedom of association and break

the agreements reached between USO and Pacific Rubiales Energy, which put an end to the worker protests in 2011.

For the USO, bringing this suit opens the door to the Colombian labour movement legally demanding the res-

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pect of labour rights and the freedom to unionize. It also represents an important precedent in the series of demands that the USO has made throughout its 90 years of existence.

Source:

USO Press release May29th, 2013

Translation: PASC.

Activists question Pacific Rubiales in front of its shareholders.

On May 30, 2013, activists from the Mining Injustice Solidarity Network made their way into the Kensington Room of the King Edward Hotel, in Toronto, where the Annual General Meeting of Pacific Rubiales was taking place. They handed out a press release from the Colombian Union of Oil Workers (USO), announcing the union's lawsuit against Pacific Rubiales for violations of the right to freedom of association.

Activists took the floor to ask for the oil company's official stance on the right of workers to unionise. Pacific Rubiales denied that they had violated the right of workers to unionise, arguing that the company had not fired 3,000 employees. By stating this, they informed shareholders for the first time that the lawsuit was taking place. The company affirmed that 57% of their workers were already affiliated with another union, UTEN. Pacific Rubiales described USO as violent, alleging that USO



members had attacked their employees.

When asked about the Colombian Congress committee advocating for the non-renewal of Pacific Rubiales' contract in Campo Rubiales --

their most productive oil field -- the company downplayed the percentage of the contract that could be cancelled in 2016. They stated that by that time, the part of the contract in question would represent only 5% of their overall reserves. The company is currently requesting the renewal of its contract at

Campo Rubiales and Quifa for the next 25 years.

Activist remained in front of the AGM with signs for a several hours.

Source:

Mining Injustice Solidarity Network – PASC

Translation : PASC.

CISO Internship – Colombia 2013

Through CISO (International Center for Worker Solidarity), eight Quebec unionists participated in an internship in Colombia in May, 2013. Coming from several sectors (health, education, public service, and the mining industry), and different labor unions (FTQ, FIQ, CSN, Métallo), our group of interns had three goals: (1) to become informed about the situation facing Colombian workers, in particular the non-respect of union rights; (2) observe the impacts of Canadian mining and oil companies in Colombia; (3) create sustainable solidarity with Colombian unionists.

The internship was divided in two phases. The first pha-

se took place in and around Bogota and the second in the Medellín area. During the stay in Bogota, the interns were led by a representa-

tive from the PASC. We were able to meet with unionists from different organizations like the CUT and its president, Domingo Tovar Arriete, as well as members of the



USO. This experience allowed us to observe that respect for fundamental workers' rights in Colombia has not yet been achieved. It is also important to underline our encounter with a representative from the MANE in order to discuss university education in Colombia. Two meetings outside of Bogota were organized. The first one was with members of a group of social organizations in the central-east region of Colombia, at the San Isidro Foundation, near Duitama. During the second meeting, we visited the paramo de Pisba with a group of citizens fighting against the mining industry in this fragile ecosystem. Before leaving Bogota, we met with representatives from the Canadian embassy, enabling us to express our disappointment at our government's inaction regarding the obvious abuses committed by some Canadian companies operating in Colombia.



Now that we are back in Canada, we are concentrating our efforts on the second phase of the internship. We are

informing the unionists of our organizations about the difficulties encountered by Colombian workers, underlining the role and responsibility of Canada. The Free-Trade Agreement between Canada and Colombia, in addition to the large number of Canadian mining companies operating in Colombia, demonstrates that our government is partly responsible for this intolerable situation. Some of our organizations have already sent letters to Colombian unions in order to support them in their fight. Other letters have been sent to the delinquent companies and the Canadian government to inform them that an international network exists to support Colombian workers. We aim at continuing our solidarity efforts in the future.



Source:

CISO team on Facebook CISO-Colombie 2013

Canadian multinational Pacific Rubiales Energy on trial, PASC invites you to the People's Tribunal.

This summer, PASC and members of the Red de Hermandad y Solidaridad con Colombia (Redher - Colombia Friendship and Solidarity Network) will be organizing a Popular Tribunal on Colombia's extractive industry policies from August 3-5. The Tribunal is a chance to put foreign mining, gas and hydroelectric companies on trial for the pillage of Colombia's natural resources, as well as for fueling political violence against union members, communities affected by large-scale development projects, and environmental and social activists. A series of public hearings will take place before the Popular Tribunal, including one on July 13th, focused on Canadian company, Pacific Rubiales Energy, the most important oil producer in Colombia. To attend the hearing, contact us at: info@pasc.ca

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Letter in The Gazette: The social costs of doing business in Colombia

The Colombian minister of Mines and Energy, Federico Renjifo Vélez, will be at the International Economic Forum of the Americas in Montreal this week. On Tuesday, he will be attending a working breakfast titled Doing Business with Colombia. The minister's visit comes on the heels of a May 2013 report issued by the Colombian comptroller general that links the extractive industry in Colombia to armed conflict and human rights violations.

The report states that an astounding 80 per cent of the human rights violations, 87 per cent of forced displacements, 78 per cent of crimes against unionists, 89 per cent of crimes against indigenous people and 90 per cent of crimes against Afro-Colombians happen in mining and oil-producing regions. The report's authors recommend a moratorium on all mining concessions in Colombia until the country revamps its extractive policy and regulatory process.

Many of the extractive companies active in Colombia are registered in Canada — a presence that has been embroiled in controversy. The latest involves Canadian oil company Pacific Rubiales Energy, which is currently being sued in Colombian court for labour rights violations.

The report by the comptroller general of Colombia is a sign that what social organizations in Canada and Colombia have been documenting for years is finally trickling up to the Colombian government. At this important juncture, we hope that Quebecers and conference attendees will ask Mr. Renjifo Vélez, and Canadian officials present at the Forum, what the true cost of doing business with Colombia is.

Source: PASC letter published in The Gazette, June 2013. Available on line: <http://www.montrealgazette.com/news/Letter+social+costs+doing+business+Colombia/8508319/story.html#ixzz2VxZQuSBP>

Canadian Multinationals in Colombia: War Profiteers

Colombia vies for 1st place as the most dangerous country in the world for union activists and 2nd place in terms of forced displacements. More than 85% of internal refugees and murdered unionists come from regions marked by mining and petroleum development. Canada, which has signed a free trade agreement with Colombia, is the primary country of origin for foreign investment in this sector, meaning that Colombia's most important petroleum and precious metals reserves are managed through Canadian capital markets. Yet Canada has no system for regulating the activities of its companies abroad, allowing them to act with complete impunity as they profit from political violence in this war-torn country.

This bulletin intends to break the silence.

We would like to thank the following unions for their financial support:



The members of **Projet Accompagnement Solidarité Colombie** are available on demand to visit workplaces and to participate in group discussions on the impacts of Canadian investments in Colombia, and the situation with unions in Colombia.



Don't hesitate to contact us.

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