

The Profiteers' Bulletin

Against Canadian companies impunity in Colombia

May 2016



Eco Oro Minerals' warning that it could sue Colombia (p.1)

Toward a general strike (p.2)
Peace Talks (p.3)

Eco Oro Minerals' warning that it could sue Colombia over water protection measures

Civil society organizations condemn Eco Oro Minerals' announcement that it will initiate international arbitration against the Colombian state. Eco Oro has stated its intention to sue Colombia under the investment chapter of the Canada-Colombia Free Trade Agreement over measures that the Andean state has taken to protect the Santurbán páramo and páramos around the country from harmful activities such as large-scale mining.

Eco Oro Minerals' Angostura proposed gold mine in Santurbán has financial backing from the World Bank's International Finance Corporation. The company argues that it will lose money because of the demarcation of the páramo and the recent decision from the Constitutional Court of Colombia reaffirming the prohibition against mining in all Colombian páramos. The company stated in a news release that it could bring the dispute to international arbitration and seek "monetary compensation for the damages suffered."

"Since the Angostura project got underway, it has been clear that páramos are constitutionally and legally protected and that this project could affect Santurbán, such that it might not be authorized. States should not be sanctioned for protecting their water sources, given that they are doing so in accordance with national and international obligations," remarked Carlos Lozano Acosta of the Interamerican Association for Environ-

mental Defense (AIDA). The páramos are the source of 70% of the fresh water that is consumed in Colombia and are essential for mitigating climate change.

The proposed gold mine is already the subject of a complaint to the Compliance Advisor Ombudsman of the International Finance Corporation (IFC). The Committee in Defence of the Water and Páramo of Santurbán filed the complaint in 2012. The IFC is the part of the World Bank Group exclusively focused on the private sector. A report based on this investigation is expected in the coming months.

"The implication and the irony of Eco Oro's statement is that the IFC's investment in the company could be used to litigate against member states of the World Bank. It's time for the IFC to withdraw its investment from this company," stated Carla García Zendejas from the Center for International Environmental Law (CIEL).

"In 2011, the Colombian Ministry of the Environment denied an environmental permit for the Angostura project, demonstrating its in-viability. The Constitutional Court's decision reaffirmed this, finding that the right to water and the protection of the páramos takes precedent over the economic interests of companies trying to develop mining projects in these ecosystems," commented Miguel Ramos from the Santurbán Committee.

“Just as has we have seen in El Salvador, where the state is being sued for US\$250 million for not having granted a Canadian company a mining permit when the company did not even fulfill local regulations, the international arbitration system enshrined in neoliberal investment agreements is a real threat to the sovereignty of states and peoples to decide over highly important is-

sues, such as water,” said Jen Moore from MiningWatch Canada.

The organizations call on the company to abstain from arbitration against the Colombian state and note the risk that other companies with projects in the Santurbán páramo could follow Eco Oro’s example.

Sources : Press release

Toward a general strike : demands of the social and workers’ sectors



Faced with a dead-letter agreement and the government’s neglect to address the demands of the Colombian people, we, the members of the social movement, the union centrals, the trucking sector, the taxi sector, and other citizen initiatives, are concerned about the economic, political, and social situation and have sent this letter to President Juan Manuel Santos, expressing the demands central to the national general strike whose first installment took place on March 17. New strikes will start at the end of may.

Official release :

In view of the failure of the legal minimum wage negotiations, the outrageous and arbitrary sale of ISAGEN, the REFICAR scandal, the announcement of a series of tax reform measures detrimental to working people, the liquidation of CAPRECOM and SALUDCOOP, and your default on an agreement with pensioners and workers to lower health premiums from 12 to 4% and to restore over-

time, Sunday and holiday payments to their proper amount; noting your failure to fulfill agreements signed with Dignidad Agropecuaria, Cumbre Agraria, the Cruzada Camionera, taxi drivers, and other sectors; and more generally, taking cognizance of your toxic legislative agenda, the accelerated impoverishment of our farmers and the majority of the population, the high cost of the family food basket and public transportation, worsening unemployment, the growth of the informal sector, the unpayable foreign debt, all of this due to a regressive neoliberal economic model, we have decided to convene, organize, and hold a “National Day of Protest” taking the form of a general strike, scheduled for 17 March 2016 throughout Colombia. Are you aware, Mr. President, of the tragedy that has befallen the children in many parts of Colombia—a tragedy in which thousands of children have died of hunger, thirst, and all manner of diseases due to neglect by the government and an arrogant, self-interested governing class? Far from having been dismantled, paramilitarism runs rampant in our nation, sowing death and terror; it constitutes an ongoing obstacle and a threat to the guarantees which all citizens must enjoy to the full exercise of their rights, including the right to remain on the land.

The undersigned organizations support the negotiations of the national government with the guerrillas to put an end to the internal conflict. We stand in favour of the endorsement mechanism agreed upon by the parties and we will settle for no less than a serious commitment to fulfill all the agreements reached. The conjuncture calls for the utmost

conscientiousness if you are to avert the people's frustration and bring the long-sought peace agreement to fruition. We call on the national government to address the demands of the social and workers' sectors, to allow for their participation in the process, and to respect the right of public protest, in the same spirit in which the negotiations in Havana are being conducted. Along these lines, we, the National United Command and Coordination of the social and political orga-

nizations, proceed to put forward the main demands that call for an urgent response from the government:

Source: CUT, CGT, CTC, CPC, Cumbre Agraria, Movimiento E24, Dignidad Agropecuaria, Cruzada Nacional por la Dignidad Camionera

Foto : Studio Hans Lucas [Nadege mazars](http://hanslucas.com/nmazars/)
<http://hanslucas.com/nmazars/>



Opportunities and challenges facing the Peace Talks between the Colombian government and the ELN

With the good news of the initiation of the public phase of peace talks between the Colombian government and the National Liberation Army (ELN) another step forward is being taken in the peace process that is being constructed. After two years of secret talks, the Executive Committee and the ELN have established a baseline and a few point of agreement to advance in negotiations that, from now on and as announced from Venezuela a few days ago, will develop as they move through five countries.

With novel and complementary takes on negotiations with the FARC in Havana, the parties agreed to a six-point agenda where a greater degree of openness to the participation of the Colombian people is highlighted. (...)

The principal concern about the environment surrounding the peace process in general

and this stage of negotiations with the guerrillas in particular, is the violent criminalization, persecution, repression and extermination targeting activists and defenders of human rights which has, paradoxically, intensified over the past two years. (138 social leaders killed in the last 18 months is an outrageous and unseemly figure in or out of any negotiation scenario). (...)

We have the notion that government and guerrilla forces are resolving "their business" bilaterally and that's a private scenario that should not concern the people. (...)

An essential part of the peace process as a whole, (will be to) count on an organized populace to force the government to sit down at a negotiating table where Government and civil society meet, and

debate and transform structural issues that Santos has so far refused to discuss with the guerrillas. (Nothing more and nothing less than: Economic Model, structure of the State, and International military and political policy). The agreements already reached with the FARC and the ELN, in each stage and step by step, must be stepping stones to ease the way to that goal, which would be novel and essential not only for lasting peace

in Colombia and the region, but would mark a qualitative leap in the history of the negotiation processes that have taken place in Latin America.

Source :

<https://colombiapace.wordpress.com/2016/04/17/opportunities-and-challenges-facing-the-peace-talks-between-the-colombian-government-and-the-eln/>

We invite everyone to join us in solidarity during the Caravana FOR THE DEFENCE OF THE LAND which will be leaving from Bogota next July 22 until August 4th and will be visiting the Sumapaz area. Meet with communities in resistance for the protection of the world's biggest páramo under threat by a Canadian Company.

A páramo is a unique ecosystem located in the Andes high altitudes. Páramos are home to a diversified fauna and flora. Moreover, they have a fundamental role in the water retention, representing 75% of Colombian water reserves. The Sumapaz páramo is considered as one of the world's most important fresh water reserve.



3rd CARAVANA FOR THE DEFENCE OF THE LAND

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.