

**Public Statement concerning the visit of the delegation
of the *Mining and Faith Reflections Initiative* in Colombia
from February 19 – 24, 2017**

The organisations who have signed below express their concern about the visit of the *Mining and Faith Reflections Initiative* (MFRI) which took place in the coal mining zones of the Colombian departments of Cesar and La Guajira from February 19 to 24, 2017.

The reasons for the present statement are the confusing manner in which this visit was conceived and the methods used to convey information about its organisation:

- The lack of clarity about the MFRI delegation's objectives; the methods of collecting information; the use of the results obtained by the delegation's participants and the consequences of this use for processes of territorial defence and the enforceability of rights gained by the affected communities in the area, particularly in the light of the grave situation of persecution and threats that social leaders and human rights defenders have to face in Colombia.
- The lack of timely, complete and verifiable information capable of guaranteeing active and fruitful participation by the communities affected by coal mining operations in the process of planning an agenda and preparing adequately to collaborate with the delegation and in the process of visiting the territory.
- The lack of a methodology of travelling within the territory that would enable the members of the delegation to evaluate and converse autonomously with the communities affected by coal mining activities being carried out and actively promoted in both Departments, without the presence of the mining companies involved in the human rights violations currently being denounced in these areas.

Our concerns are deepened by the fact that the model of extraction used in Cesar and La Guajira, which has spread in our country in recent years, has brought about huge transformations in ecosystems and all facets of life; for this reason, it is now generating a multitude of new conflicts. It is against this background that communities in both regions have taken measures to defend their territories and scrutinize company practices for their irreversible impacts and their indisputable unsustainability. It is in the context of an evident imbalance of power between communities and companies that the concerns of social organisations and leaders about the economic, social, environmental and legal aspects of the mining industry have come to the attention of local and national authorities, the Colombian state regulatory bodies, the courts, academics, and even international consumers. The expectation is that with their intervention, those inequalities can be overcome and the protection of the communities will be assured. Nevertheless, delegations such as the one organised by MFRI are proof that we still face great challenges.

“Integral Ecology” (mentioned in Pope Francis' Encyclical Letter *Laudato Si'*, 2015, sections 140-142) demands that we listen to the voices of the victims and take into account scientific data and the experiences of organisations which accompany communities in a spirit of solidarity, in the context of specific regions and with the aim of defending human rights. The Encyclical Letter calls for the presentation of information which is interdisciplinary, transparent, independent, scientific, including statistical and economic analysis, in order to discern whether an undertaking is contributing to genuine integral development (*Laudato Si'* 185). For this reason it is disturbing that the agenda was organised primarily by and with mining companies like Cerrejón (Glencore, Anglo American, BHP Billiton) and Prodeco (Glencore). There was a clear lack of involvement from the communities themselves, and this will influence the version of reality presented to the delegation due to the fact the company's vision will have a bigger impact than that of the communities whose lives have been severely affected by mining interests.

These shortcomings add to another concern related to the positions of church organisations and to

interpretations of faith with regard to extractive projects. We note that the way the MFRI delegation's visit to Colombia has been designed gives greater weight to company interests as reflected in the Kellogg Innovation Network's Strategy "Catalyst for the Mining Company of the Future" than to the principles of orientation and action of the Encyclical *Laudato Si'* or other statements by Pope Francis during the Conference of Social Movements (Bolivia, 2015; Rome, 2016) or the meeting with representatives of communities affected by mining activities (Rome, 2015).

Although we were concerned by the visit and the confusing information received, we made an effort to get involved in the proposed conversation. Unfortunately, we have to say that our effort was in vain. Once arrangements had been made for the communities and accompanying organisations to take part in the visit independently, we were informed that the delegation would follow the agenda organised by the mining corporations. Only one day before the visit to communities in La Guajira, we were then informed that, after all, we were given *some* space for participation, which only increased our confusion. Anyhow, we were unable to open a dialogue with the people directly affected by mining operations in Cesar, despite the proposals we had made before the arrival of the MFRI delegation in Colombia.

We regret that we could not achieve a sufficiently broad and participative programme so that the delegation could have listened to the rural and urban communities who are not in agreement with the actions of companies and the government with regard to mining, and to our organisations working in a serious and committed manner to defend human rights and the environment. We wish to make clear that we wish for, and are open to, dialogue, as long as there are safeguards. With regard to the above, we highlight the following facts:

- The departments of Cesar and La Guajira are suffering a humanitarian crisis caused by the violation of the basic rights to water, proper nutrition, a healthy environment and health. These problems have not been attended to properly by the government or remedied by those who have caused them. Plans to expand mining activities in the two departments will only deepen those problems.
- Neither in Cesar nor in La Guajira has the growing mining sector, with its resulting royalties, brought an improvement in the quality of life of the inhabitants. According to the projections of the 2005 Census, for 2012 people with Unsatisfied Basic Needs (UBN) represented 44,73% of the population in Cesar and 65,23% in La Guajira; The average UBN of the national populations corresponds to 27,78% (CINEP, 2014¹).
- Cesar and La Guajira are examples of forced displacement due to coal mining and the contamination it produces. These forced displacements (or as they are called officially: "involuntary resettlements") have been a characteristic of the expansion of mining projects.
- The extension of mining in both departments has taken place in rural areas which are inhabited by indigenous, black and small-scale farming communities. Processes of free, prior and informed consultation to permit the population's participation in territorial planning have not been carried out. Ignoring collective ethnic rights, the companies have conducted individual negotiations instead, buying land through intimidation, restriction of access to resources and isolation. Altogether, this has resulted in a rupture of social structures and the disappearance of many communities.
- Populations that have already been resettled are facing the risks that a sudden change from rural to urban life can cause, such as poverty, since they cannot rely on self-sustaining alternatives any

¹ CINEP, "Impactos socioterritoriales de la explotación minera en los departamentos del Cesar y La Guajira", en Fescol, Análisis 1/2014, p. 51, disponible en: <http://library.fes.de/pdf-files/bueros/kolumbien/11067.pdf>.

more. Countless problems such as lack of access to public services, property, housing and recreation come along as well.

- Air pollution and the diversion of water bodies, which are essential for the communities in Cesar and La Guajira, are urgent problems in regions that have to face severe periods of drought.
- In recent years, violence against social leaders has significantly increased in these regions, especially against those who take action in defence of their rights and territory. The Public Ombudsman issued an Early Warning in December 2016 involving municipalities in the mining regions, attributing the cause of the threats being made against many leaders to their opposition to mining operations.

We worry that the visit of the MFRI delegation ignores these realities and avoids making the demands and laying down the necessary conditions for the companies conducting the mining operations, companies in which members of the delegation have invested, to stop contributing to the human rights violations that we have documented in the region. We are even more worried that their visit, instead of acting as an instrument of transformation, may act as a sort of formal legitimization. Therefore we call on them to:

1. Develop ways to guarantee real and effective participation by social organisations and communities affected by mining, with access to clear, transparent and timely information.
2. Encourage measures that remove the inequality in relationships between companies and communities.
3. Promote binding and extraterritorial obligations for companies and State actors with regard to human rights and transparency.
4. Demand respect for the basic rights to water, proper nutrition, health and a healthy environment for the inhabitants in the mining districts of Cesar and La Guajira.
5. Demand guarantees that coal mining operations will not continue to cause forced displacements in the region and that effects already caused will be adequately addressed, focussing on the protection of the victims.
6. Demand security guarantees for social leaders and environmental, land rights and human rights defenders.

Finally, we express our profound concern about the effects that a visit under such conditions can have on the defence of territory and the enforceability of rights demanded by the communities and social organisations in both departments. We hope that this visit is not just another attempt by the companies to obtain social legitimization by faith organisations. We demand transparent and participatory practices that are free of manipulation.

Bogotá, 24th February 2017

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Comisión JPIC - CRC
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