



Memorial mass at Mulatos site, with Father Javier Giraldo, S.J. photo credit: cdppsenjose

AN UPDATE FROM THE PEACE COMMUNITY

*By Conrad Weiffenbach
December 10, 2020*

After an unusually long wait, a new message from the Peace Community of San Jose de Apartado, titled “War” and “Peace” in the Language of the Paramilitaries (“Guerra” y “Paz” en el lenguaje paramilitar,) appeared October 12, 2020 on their website, <https://www.cdpsanjose.org/>. In short, the Peace Community reports that continuing interference from paramilitaries has injured the Community in new ways. Even the delay from their usual update frequency and how the message is written seem troublesome.

An English translation of their October 12 message can be found at <https://colombiasupport.net/2020/10/war-and-peace-in-the-language-of-the-paramilitaries/>. For a context in which to understand their message, this article presents a summary of recent developments in Colombia, lists groups which accompany and support the Peace Community, and gives excerpts from selected earlier Peace Community messages.

Update from Peace Community cont.

After President-Elect Joe Biden takes office on January 20, 2021, he can be expected to alter President Trump's cruel and ignorant opposition to the 2016 Colombian Peace Agreement. Colombia's \$800 million of US Foreign Assistance¹ could be cut unless they resume Peace Agreement implementation². Some losses the Peace Community describes may be difficult to reverse, but such changes can ameliorate their situation.

In reading "War" and "Peace" in the Language of the Paramilitaries, one realizes again the Community's un-ending forbearance in the face of affliction. I would like to say they are a product of the Liberation Theology³ of the 1970s, which CSN co-founder

Cecilia Zarate credited as an important personal inspiration. They may be said to exhibit the spirit of Pope Francisco's 2020 Encyclical, *Fratelli Tutti* (Brothers and Sisters All,) which embodies a rejection of free markets, unfettered by social policy.⁴ Their spirit is fortified by maintaining their memories of assassinated members, for which memorial sites have been violated.

The Peace Community reports that ongoing coercion of members living in outlying areas, by paramilitaries who have forcibly co-opted some into submission, has reached a plateau from which a different type of aggression has been launched.

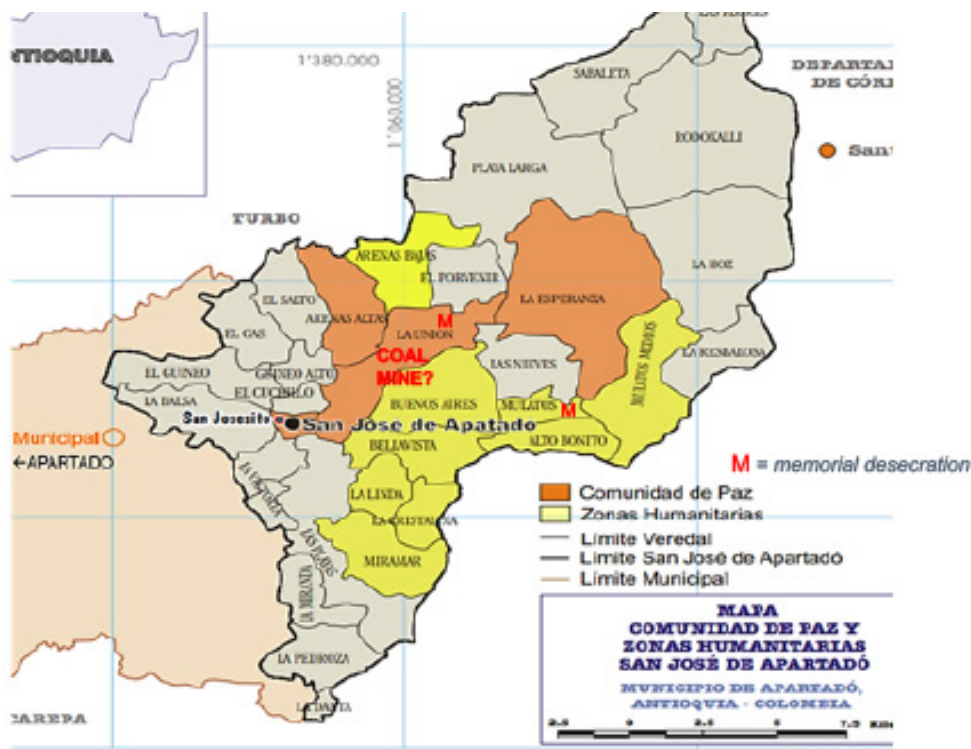
"Since last September 14, there has

been an active campaign of slander, defamation and abuse against our Peace Community. On that day they started to circulate a pamphlet through WhatsApp titled "We do not like you, Peace Community."⁵ It tries explicitly to make the campesinos around here be against us. As can be seen from one of their paragraphs, the pamphlet originated in community action boards of the towns (veredas) of Mulatos Medio and Mulatos Cabecera, because the producers invite government officials to visit those towns." ... the content leaves no doubt of its paramilitary and military origin. For several years now, the Army and other government institutions have been coopting various community boards to get them to join in their strategy of paramilitary control of the region."

By adding an overlay in red on the map below from the City of Apartadó, the locations of two types of aggression are shown.

Plans for a coal mine:

"The mining companies are the most interested in taking over this region, and in these last few months they have been doing a lot of illegal oral surveys so that they can start exploiting the minerals. All of this is being carried out by the same paramilitaries that are doing the dirty work for the businesses in Urabá. "... (the campesinos)" will end up turning over their land and being displaced, forced to leave by those who today are defending and supporting this



Action On Colombia is the official newsletter of the Colombia Support Network, a national peace and justice network of groups and individuals working to promote respect for human rights in Colombia and a just relationship between the United States and Colombia through grass-roots activism.

CSN supports a nonviolent, negotiated resolution to the conflict in Colombia.

CSN is the only current project of Wisconsin Interfaith Committee on Latin America

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plunder as “progress and development” for the area.

WHO IS BEHIND THE LAWLESS ABUSES OF THE PEACE COMMUNITY?

Two red M’s (for “Memoricide”) represent destruction of Community memorials: one for the lives of eight members massacred⁶ at Mulatos in 2005; and the other for a year-2000 massacre of leaders at La Union, where an existing memorial library has been proposed for conversion into a sports facility by the mayor of Apartado.⁷

Responsibility for the continuing persecution described in the Peace Community’s latest message (and recent previous messages excerpted at the end of this article) can most directly be assigned to paramilitaries calling themselves Autodefensas Gaitanistas de Colombia (AGC,) with armed forces of the Colombian government and local authorities seeking Peace Community land for mining and other development.

However, it has come out through the Court of Special Jurisdiction for Peace established in the Peace Agreement, the JEP (Justicia Especial por la Paz), that higher responsibility apparently lies with former Colombian president Alvaro Uribe Velez and current Colombian president Ivan Duque, to whom Uribe has been a mentor. The JEP is trying ex-rebels, paramilitaries and others for their crimes during more than five decades of internal conflict, with reduced sentences if they cooperate.⁸

Certain former paramilitaries may be requesting significantly reduced sentences, which under the JEP must involve telling the whole truth about others involved in their crimes. These paramilitaries have said in recordings that in 1995 they witnessed former president Alvaro Uribe and his brother



3 members of JEP Tribunal.

helping to form the Metro Bloc, a right-wing paramilitary faction which has committed many serious crimes in rural areas.⁹

A case was brought against Uribe in the Colombian Supreme Court for alleged tampering with witnesses (the former paramilitaries) and he was put under house arrest by the Supreme Court. Uribe has vehemently denied the allegations.

“The Supreme Court argued, in its 1,554-page decision in August, that there was ample evidence to show Uribe had engaged in trying to pressure former paramilitaries into retracting damaging statements against the ex-president. But the high court later relinquished control of the case when Uribe resigned his Senate seat, handing his case to the new Prosecutor-General of Colombia who had been appointed

by President Ivan Duque.”¹⁰

The former Prosecutor-General, Néstor Humberto Martínez, had resigned after the JEP tribunal ruled against an order for extradition to the U.S of demobilized FARC commander and peace negotiator Seuxis Pausias Hernández – alias “Jesús Santrich. This peace negotiator (who is blind) claimed his arrest was a set-up to deliver U.S President Donald Trump a “trophy” ahead of a scheduled visit to Cartagena.¹¹

The current Colombian President, Ivan Duque, has been closely aligned with former President Uribe, his mentor in Colombian politics since he moved back to Colombia from university in the US and years of work with the Inter-American Development Bank in Washington. Duque was elected President on July 17, 2018 and began

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serving as President on August 7, 2018 and has collaborated legislatively with Uribe's party since then. In May 2019, the Colombian House and Senate stopped President Duque from making changes to the law for the JEP, trying to roll back parts of Colombia's landmark 2016 peace agreement.¹²

Meanwhile, since their formation years ago the paramilitary organizations have become self-sustaining. The Gaitanistas are major traffickers of cocaine¹³ and terrorize campesinos to drive them off their land so developing it by others can go forward. They proclaim their plans by repeatedly painting threatening graffiti on buildings in San Josecito and outlying areas of the community, as well as now with their pamphlet against the Peace Community.

The building at the right, with "AGC present" graffiti defacing the wall (for the umpteenth time - it always gets painted over) is the sleeping quarters in San Josecito for CSN delegations and many other international supporters when visiting the Peace Community. It is near the main road passing outside the community.

RESPONSIBILITY OF THE USA

In April 2017, US President Trump met former Colombian Presidents Uribe and Pastrana, who oppose the Peace Agreement, at his Mar A Lago resort in Florida. Subsequently, the Colombian president at that time, Juan Manuel Santos (who won the Nobel Peace Prize for the 2016 Peace Agreement) criticized them for going outside diplomatic channels.¹⁴ Then in Sept. 2017, Trump threatened that if Colombian cocaine trade were not interdicted, Colombia would be decertified as a partner in the war on drugs and US funding would be cut.



Three buildings with AGC graffiti in peace community.

Early in his administration, President Trump had little connection with his State Department. He declared he was against the Peace Agreement and wanted - not the crop substitution program of the Peace Agreement - but coca eradication in Colombia.

As a result of the Colombian government's wish to please Trump, on October 5 at least six coca growers were shot dead and 21 wounded while protesting a coca eradication operation carried out by the Colombian army outside Tumaco, in Colombia's far south-west. The campesinos wanted either the crop substitution program, which would have paid them what they could have earned from coca while they began planting cash crops to be transported to urban centers (on roads to be constructed for that purpose per the Peace Agreement), or to be free to grow their coca.¹⁵

In 2016 when our CSN delegation to Colombia met as usual with staff

at the US Embassy, six were present, in a significantly larger reception from what we had experienced in past years. When we asked what the US could do to support Colombia's new Peace Agreement, to our surprise they outlined components of the Agreement for which US funding support was being planned in a \$450 million budget¹⁶ for Colombia under President Barack Obama.

However, Donald Trump won the November 2016 presidential election, beating Hillary Clinton.

Many members of Congress are responsible for enabling Trump over the last four years while recognizing his extreme narcissism and white-supremacist racism. In addition to his damage to the United States, the influence of his leadership has added to world problems, prevented the implementation of the Colombian Peace Agreement, and abetted the near-destruction of the widely respected

Peace Community of San Jose de Apartado.

WHAT HOPE CAN THE PEACE COMMUNITY HAVE?

President Biden will rebuild State Department staff, and a wiser policy toward Colombia will probably result in renewed support for the Peace Agreement. Many parts of that Agreement can help all rural Colombia, including the Peace Community, while furthering US objectives for a fruitful relationship with Colombia. However, it may take some time to clean up the drug corruption that now seems to reign in Colombia.

Legal support for the Peace Community:

The Colombian Constitutional Court (the highest court of Colombia) issued a Tutela in 2007: "ORDER to the Minister of Defense, ...

"Submit biweekly reports to the Ombudsman's Office about the

actions taken to guarantee the rights to life and personal integrity of the members of the Peace Community ... (Include) achievements made, ... failures identified in order to prevent the commission of crimes against the aforementioned persons, ... (and) how it has proceeded to comply with the principles and norms of international humanitarian law in the activities carried out by the Public Force in the area. (Quotes from Judgment T-1025/07)"

Interamerican Court of Human Rights (IACHR), Organization of American States

Hearing a case concerning persecution of the Peace Community of San Jose de Apartado, they issued a judgement: **PRESIDENT'S RESOLUTION, JUNE 26, 2017**

"... the Court resolved, inter alia:
1. To reiterate to the State that it maintain the measures it has adopted and immediately order those that are

necessary to effectively protect life and personal integrity of all the members of the Peace Community of San José de Apartadó ..."

Non-Governmental Organizations supporting the Peace Community:

THINK-TANK CINEP, BOGOTA, <https://www.cinep.org.co>.

Bogota's Center for Popular Research and Education (CINEP) is a nonprofit foundation created by the Society of Jesus in 1972 with the task of building a more humane and equitable society through promotion of sustainable human development. Every six months it publishes a massive report, *Noche y Niebla*, detailing thousands of incidents of human rights abuses of campesinos in Colombia. Father Javier Giraldo Moreno, S.J. is a Jesuit Priest, b. 1944, Coordinator of the Human Rights and Political Violence Data Bank of CINEP, and a companion of the Peace Community of San José



Former President Andreas Pastrana, President Trump, and former President Uribe at Mar-a-Lago.

Update from Peace Community cont.



Two paramilitaries (center) who attacked the Peace Community in custody.

de Apartadó. The CINEP/Program for Peace publishes the semi-annual report *Noche y Niebla* with the aim of alerting members of the public to the dynamics of political-social violence, with particular emphasis on cases associated with the killings of leaders and members of the Community Action Boards and civic leaders, - as a service to victims in a memory recovery exercise, in the hope of contributing to the construction of a different, just, sustainable, and peaceful Colombia.

Among international NGOs supporting the Peace Community are:

DEJUSTICIA, BOGOTA, www.dejusticia.org;

INDEPAZ, BOGOTA, www.indepaz.org.co/

COLOMBIA SUPPORT NETWORK, USA, www.columbiasupport.net

PEACE BRIGADES INTERNATIONAL, UK, <https://peacebrigades.org.uk/>

FELLOWSHIP OF RECONCILIATION, USA, <https://peacepresence.org/>

TAMERA, SPAIN, www.tamera.org/
EXCERPTS FROM RECENT MESSAGES SENT BY THE PEACE COMMUNITY <https://www.cdpsanjose.org/>, in the a few years prior to their October 12, 2020 message

Nov. 8, 2017: A CSN delegation in Colombia met with the legal representative of the Peace Community and heard his report that they were suffering abuses, death threats, and theft by paramilitaries. The Peace Community had discovered secret informers in the Community for outside interests associated with local enemies. Paramilitaries were trying to control sub-populations within the community's territory.

Dec. 29, 2017: Paramilitary Attack on Peace Community Leader:

- For weeks threats against the Peace Community had been escalating.

- At 10 AM four paramilitaries with guns barged into the Community's central bodega on the road to Apartadó where cacao is bought and sold by the community.

- They attempted to force Community members including legal

representative German Graciano into a closet.

- Twenty or more community members nearby rushed in, and two of the paramilitaries were captured. In the action, German was shot in the hand and another community member in the leg.

- They held the two paramilitaries whose identities they obtained and contacted officials of the Inspector General's office and the Defensor del Pueblo's office. Father Giraldo and a large crowd of community members, supporters and news media waited outside the place where the captives were confined.

- Officers of the Fiscalía arrived after two days and took them away. A few days later the two were released by the Fiscalía to go free.

Feb 26, 2019: The paramilitaries have strict control over the whole territory:

... "suffocating campesinos with their taxes, rules, prohibitions, control of every movement, recruitment of minor children ... in the urban part of San José de Apartadó they consume large quantities of liquor and throw out threats against our Peace Community, claiming again their intention to exterminate us." ...

...Feb. 8: 'the paramilitaries called a meeting in the vereda of Arenas Bajas... They forced all civilians living there to take part. ...night of Feb. 11, 'two armed men wearing hoods, apparently



paramilitaries, came to a home in the area and demanded ... a resident pay them two million pesos (\$700,) saying it was a vacuna (an extortion,) threatening to kill him if he didn't pay it. They left after a while.'

April 15: Paramilitarism in full action: espionage, invasion and control of lands, more threats:

... "April 4 ...When members of the Peace Community arrived at the Arenas Altas farm to plant a lot of corn, they found a group of seven people from the area, including the well-known paramilitary alias "Pollo", occupying the farm and planting corn without permission from the Community which owns that land. A delegation of the Community approached to make the claim, but the others responded they were only "earning a wage" ...

May 9, 2019: Impossible for Them to Hide Behind Fake Identities: ... Paramilitary "Chirri" told Community members planting corn in Vereda Resbalosa, "It's prohibited for campesinos to plant subsistence crops

and clear land without permission from the new order." 'A paramilitary committee will be coming and hand out orders. I'm just following orders.'

'The paramilitary control is ever stronger in this area, extorting big taxes, forcing meetings, forbidding campesinos from planting fields they inherited from ancestors. If they do not obey, they can't work their fields.'

Dec. 26, 2019 and Feb. 5, 2020: Paramilitaries Trying to Use Community Boards to Commit Memicide

Vereda-level community action boards have been co-opted by paramilitaries to exterminate sites of historical memory for the Peace Community. Two former FARC members are now among paramilitaries extorting and intimidating Peace Community members: one commands paramilitaries in the San Jose de Apartado area. They are forcing these community action boards to destroy historical memory markers.

Paramilitaries are threatening residents and destroying crops of farms

owned by the Peace Community, to force them to deliver titles of those farms to others living outside, involving in one case the mayor of Apartado.¹⁷ The mayor has offered to build a sports complex on a site in La Union which is currently a library built in memory of community members massacred in 2000 by the 17th Army Brigade and paramilitaries. The community action board of La Union is forced to participate.

On Feb. 3, the community action board of Mulatos Media was seen driving mule teams carrying loads of sand to the monument for Luis Eduardo Guerra and his family, massacred in 2005.

The paramilitaries have unchallenged control and continue to threaten and extort all community members in these veredas, and the public forces tolerate it all. The JEP court has set free three of these paramilitaries that were being held and ten soldiers already condemned for the 2005 massacre at Mulatos, so they can apply for leniency through the JEP although they have revealed no information on the intellectual masters of those deeds.



Endnotes

¹ <https://explorer.usaid.gov/cd/COL>

² <https://www.semana.com/opinion/articulo/ganaron-la-paz-y-la-jep/202057/>, and at colombiasupport.net

³ <https://www.britannica.com/topic/liberation-theology>

⁴ http://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20201003_enciclica-fratelli-tutti.html; paragraphs 12, 13, 122, 168, 170, 177

⁵ (CSN has not yet been able to obtain a copy of this pamphlet.)

⁶ Massacre at Mulatos, https://colombiasupport.net/2005/6_26_rpt/san_jose_investigation.htm.

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⁷ For a picture, please see excerpt at end of this article from the Community message of Feb. 5, 2020.

⁸ <https://www.ascoa.org/articles/explainer-colombias-special-jurisdiction-peace-jep>

⁹ by Elyssa Pachico, Gimena Sánchez-Garzoli, Adam Isacson; <https://www.wola.org/analysis/colombia-former-president-uribe-testifies/> . Oct.7, 2019.

¹⁰ Associated Press, “Judge orders ex-Colombian president freed from house arrest”, by Christine Armario, October 10, 2020.

¹¹ <https://thecitypaperbogota.com/news/colombias-prosecutor-general-resigns->

[after-justice-tribunal-orders-release-of-santrich/22136](https://www.france24.com/en/20171009-colombia-coca-growers-killed-protest-eradication-drugs-cocaine-farc)

¹² May 18, 2019; Adam Isacson; Duque Has Left Colombia’s Peace Process Rudderless; <https://www.worldpoliticsreview.com/articles/27824/duque-has-left-colombia-s-peace-process-rudderless>

¹³ <https://colombiareports.com/agc-gulf-clan/>

¹⁴ Franco Ordoñez and Anita Kumar, April 20, 2017. <https://www.miamiherald.com/news/politics-government/article145805169.html>

¹⁵ France 24 Television, 09/10/2017, Colombian coca growers killed at protest

[against crop removal, https://www.france24.com/en/20171009-colombia-coca-growers-killed-protest-eradication-drugs-cocaine-farc](https://www.france24.com/en/20171009-colombia-coca-growers-killed-protest-eradication-drugs-cocaine-farc)

¹⁶ <https://obamawhitehouse.archives.gov/the-press-office/2016/02/04/fact-sheet-peace-colombia-new-era-partnership-between-united-states-and>

¹⁷ In 2005 a CSN delegation dined with members of the Apartado City Council, who expressed to them their unreserved hostility toward the Peace Community and a wish that NGOs would stop supporting it. https://colombiasupport.net/2005/6_26_rpt/san_jose_investigation.htm.

Why the Social and Armed Conflict of Colombia is a Never Ending War

by Francisco Ramirez
(Translated by Jack Laun,
CSN Volunteer Translator)

The idea of this first article is to begin to analyze the different economic actors who sustain the war in Colombia and who make it impossible for our country to live in peace. It is the same “phenomenon” which occurs in countries like the Democratic Republic of the Congo, The North and the South of Sudan, Nigeria, Guatemala, and South Africa, among others. In these countries “by coincidence” there are the same multinational businesses and the same governments which develop the same policies of plunder of resources in the so-called third world; companies such as Glencore¹, Anglo-American², BHP Billiton³, Xtrata⁴, and Anglo Gold Ashanti⁵ have been accused of serious violations of human rights and of provoking political, economic, and social instability in the countries where they operate.

Colombia has been involved for more than 60 years in a war which doesn’t end, with a history of failed peace processes, with betrayals and the assassination of those who submit to processes of reconciliation, with a long list of genocides. These began when the Spanish exterminated 95% of the indigenous population, followed by the period of slavery in which more than 33 million African slaves replaced the indigenous manpower which had been exterminated by the works of plunder of natural resources.

More recently the genocide of the Gaitanista movement, that of the Patriotic Union, of union members, and at present of social leaders who oppose extractive industries in their regions have followed. Behind each one of those is the key of the reason why the war doesn’t end: we are “standing upon” a quantity of natural resources that makes us the largest exporter of coal in the continent. We are the first producer

of fine emeralds; we have the third largest mine of nickel in the continent; the second-largest reserve of strategic minerals in America, shared with Venezuela; one of the largest reserves of gold in the continent; deposits of uranium, of rare earth in the Amazon region; and the same amount of reserves of gas as Qatar. We are the second-most biodiverse country on the planet⁶, which includes very many resources, such as water, woods, flora and fauna, which feed the machinery of violence against the majority of the population.

But what is most serious is that in the last 100 years the country has been “governed” by an establishment which today occupies first place in corruption in the world, which uses “state” and para-state violence as a tool of domination, making its armed forces one of the greatest violators of Human Rights on the planet⁷. It is the center of open and unrestricted operation

of mercenary businesses and including armies like that of the United States, one of the more important armed actors in the Colombia context.

In this setting a social and armed conflict developed, in which, on the one hand, there are those who oppose the looting, and on the other hand, those who impose it by violent force with the help of governments such as those of the United States, Canada, the countries of Western Europe, England, Israel, Australia, and South Africa. All of these are direct beneficiaries of the infamous plunder of the natural resources, not only at the cost of the destruction of the environment, but also most seriously with the destruction of life, liberties and the fundamental rights of the majority of Colombia's population.

Drug-trafficking as the “principal actor” of the violence.

The hegemonic means of communication in the developed world show Colombia as a country immersed in a total war against drug-trafficking, which is a half-truth. This is due to the growing of the coca leaf and its “industrial” transformation for those in the developed world who can pay for the cocaine. This is a detonating force of the violence in our territory, a “cartelized” vision of the country where economic actors hide who most greatly benefit from this criminal “business.”

Drug-trafficking feeds the war, not only of the cartels, but also of common criminals, and of the multinationals which utilize their means of transportation to participate in the drug-trafficking business and use their profits to finance the violence against the marginalized people who oppose their plundering. Drug-trafficking feeds the war of the “state” with its “authorities” who possess their own cartels, and with the establishment and

the international financial bourgeoisie which launder millions of dollars⁸ in the first station of the international financial system, led by England⁹, the United States, and Switzerland, which are the largest launderers in the colossal business of the drug trade.

There is no doubt that drug-trafficking generates and sustains part of the violence in Colombia. But I reiterate that it is not only the cartels, but also the establishment and the multinationals, which have always been covered with a “corporate veil”. But if we just investigate which ships and which planes are secretly moving the drug, and which banks benefit from the money laundering of this “industry”, that will give us an idea of who is effectively deriving profits from this other illicit business.¹⁰

One of the economic actors which feeds the war: the case of Canada.

The intervention of the government of Canada in the social and armed conflict of Colombia is not new. But recently the state has been directed to guarantee the pillage of natural resources in a strategy which has 3 components:

The first is the participation in multilateral organizations which impose conditions on the country. Canada participates in multilateral organizations like the International Monetary Fund (IMF) and the World Bank. The former has imposed on the country the opening of its markets, tax reductions for the multinationals, the lack of environmental control in the operations of the extractive industry, and extreme precariousness of labor. In addition, it has ordered the privatization of the refinery of Cartagena¹¹, which resulted in the multinational Glencore¹² participating in what is today the most serious act of corruption in the history of the country.¹³

The World Bank co-finances mining projects in Colombia. One concrete case is the financing of the Canadian company Eco-Oro, which has now sued the country in the International Center for the Settlement of Investment Disputes (ICSID) of the World Bank. In addition this Bank ordered the liquidation of the state mining company Minercol Limitada and the privatization of the hydrocarbon sector, which directly benefitted Canadian businesses.¹⁴

The second component is the creation of national legislation¹⁵ totally favorable to the Canadian corporate interests—among others—which was enacted under a scheme of cooperation between the Canadian International “Development” Agency, CIDA; the Organization of Canadian Multinationals, CERI; and 16 Senators and Representatives, who in Colombia are designated as “para-políticos.”¹⁶ All of them are presently condemned for their ties with paramilitary groups created with money from the multinational oil and mining companies, agribusiness, cattle ranchers and Colombian drug-traffickers.

The creation of legislation by this alliance began with the legal telecommunications regulation, which years later provoked the privatization of the Colombian state telecommunications company TELECOM. This permitted Canadian and Spanish multinationals to own the company, which was sold for 360 million dollars—a third of its real cost – where 5,000 workers were illegally fired and Colombia was sued for the sum of 1.8 billion dollars by one of the multinationals which participated in the privatization of the state-owned telecommunications company.¹⁷

Later in 1998, and under the same

Never Ending War cont.

scheme, the collaborators CIDA-CERI-Para-politicos hired a lawyer of a mining company which was interested in defrauding the Colombian state, alleging that a family which the attorney represented was the owner of the gold mines in the south of Bolivar province, so that she would draft the mining code which sought to take the mines from small-scale miners of the region and, in a deal with a Mafioso tint, would pass them to the mining company Anglo Gold. The Canadian government of the time participated in this transaction.¹⁸

Later these same 3 actors presented a proposal to reform the Mining Code, which, after many denunciations of its bias in favor of the multinationals, was approved and today is Law 685 of 2001, the new Mining Code. This completely changed the term that contracts remained in force, extending it from 25 to 30 years with three possible extensions, which implies that the mineral resource is delivered in perpetuity. In addition, environmental control was partially given over to the multinational company, and the mining industry was declared to be of social interest, balancing this interest against the collective properties of the indigenous peoples and the Afro-descendants, thus making it possible for the mining companies to expel them from their territories, just as they are now doing.

The Mining Code also redefined zones where mining had been completely excluded as restricted zones where, with a simple permit, the exploitation of national natural parks, forest reserves, zones of origin of waters, etc.,

became possible. It initiated a broad tax reform, and introduced reductions and exemptions which, combined with three other tax reforms, also allowed

a multinational like Cerrejon to pay 200 billion pesos¹⁹ in annual taxes and receive tax reductions of 600 billion pesos, which is to say that it didn't pay anything and it received a refund of triple what it should have paid.

In addition, they introduced Article 227, which reduced the taxes to 0.4% for private owners of the subsoil, directly benefitting the Canadian company Caribbean Resources, which mines coal in the middle Cerrejon zone, in an area which was illegally declared to be private property. It also benefitted Gran Colombia Gold, which mines gold in Marmato in Caldas Province and in Segovia in Antioquia Province, where, in a fraudulent manner, a mine was taken possession of which belonged to the workers²⁰; and it also benefitted the transportation company of the former Canadian Prime Minister, Paul Martin, who transports Colombian coal to Canada in his ships.

To these corporate "advantages" are added acts of colossal corruption by the Colombian governments of the time to favor the multinationals, such as the extension of Concept 015766 of 2005 of the National Tax Department, which had only applied to state businesses, which permitted the deduction of royalty payments from the annual declaration of income. Subsequently it was extended by a Minister of Hacienda (Treasury) to the multinational companies, which generated a loss of more than 8.7 billion dollars to the country.

Additionally, in the development plan of the present government, a new tax reduction is introduced for the private owners of the subsoil—where there are several Canadian businesses operating—which in a general manner lowers the taxes from 10% to 3.27% if the mining is more than 3 tons, and from 5% to 1.64% if it is less than 3

tons. It also reduces the tax on gold from 4% to 0.4%, for gold and silver mining in riverbeds from 6% to 2%—which is going to have a serious impact upon the channel of the rivers from which the indigenous and Afro-descendants derive their subsistence—and of platinum from 5% to 1%.

The government of Canada and the multilateral banks imposed a "free trade" agreement which requires that all of the infrastructure of ports, airports, highways, cargo loading and unloading zones, deposits, and tax-free zones be constructed with the nation's resources, so as to permit the greatest velocity in the sacking of natural resources.

This treaty also allows all types of abuses, plunder and arbitrary acts which have permitted Canadian businesses such as Eco-Oro, Galway Gold, and Cosigo Resources, to sue the country in the CIADI for a sum equal to one fourth of the annual budget of the nation. This compromises the resources for health, food, education, basic sanitation, etc., of the poorest population.

The third component is their government's military consulting²¹ to a Colombian military force which manages paramilitary operations in areas where the Canadian businesses develop their extractive projects, and where they have a relationship with those armed actors, taking into account the "security" contracts with the Ministry of Defense which all companies operating in the country sign. These involve battalions and brigades which carry out a wide range of criminal actions²² which guarantee the multinationals the "security" they require.²³ The result of this is that 98% of the assassinations of social leaders in the country occur in the mining, energy and agro-industrial zones.

The leaders they do not murder they

send to prison, as has just occurred with three social leaders in the South of Bolívar, Cauca, and east central part of the country, where “coincidentally” Canadian companies of the extractive sector—among others—operate. These have signed contracts with the Ministry of Defense and the Attorney General’s Office²⁴, two of the entities which are involved in the assassinations of leaders and the illegal detentions.

Finally, as if the humanitarian tragedy in which the country is living were not sufficient, the Canadian company Auxico Resources irregularly obtained a contract for operation in an area of the Colombian Amazon rainforest which is expressly excluded from any mineral exploitation and is the object of legal protection as a forest reserve. In that area this business intends to mine strategic minerals which extend from the states of Amazonas and Bolívar in Venezuela, and which the mining companies of the West prioritize for development of their military industry, since they cannot gain access to the resources of China.

Their interest in this zone is an explanation for the position of the Canadian government in defending the illegal interests of its companies, and is why it treats as a “dictatorship” the government of Venezuela, where the war crimes and the offenses of lese humanity which the governments and the multinationals of the West commit do not occur, as they do in Colombia, where they can loot, murder, displace, change legislation provisions, and charge taxes instead of paying them, etc.

Their interest in unleashing a war between Venezuela and Colombia would provoke a humanitarian disaster worse than that which occurs in Syria, taking into account that we already have 8 million forcibly displaced persons; 83,000 forcibly disappeared;

283,000 persons murdered; three genocides in recent decades; 4,000 union members murdered; and more than 700 social leaders assassinated, all this to guarantee the criminal profits of the multinationals of the West and of the national monopolies which eat the leftovers of this extractive model.

The result of this intervention

This destruction of life and nature culminates in the fact that, after decades of violence, corruption and marginalization imposed by the establishment and the governments of the so-called “developed countries”, the Colombian population today has a poverty index of more than 72%²⁵, a Gini index of concentration of wealth of 0.88% on average in the most recent years, the same as the Theil index, which shows how the concentration of wealth increased from 0.14 to 0.20 in nine years (where “0” is total equality). This measures the inequality of the distribution of wealth and, according to an investigation of the Universidad Nacional, shows that “10% of the richest persons held 37.6% of the total wealth, a figure which increased to 42.7% in 2013”. Likewise, “the 10% of the richest legal persons possessed 91% of the wealth, a figure which increased to 92.2% in 2013”.²⁶

The analysis permits us to establish that in those six years these transnational businesses have obtained profits of one billion one hundred sixty-nine million 485 thousand 464 dollars (\$1,169,485,464). Meanwhile, a mine worker in Colombia earns between 7 and 8 times less than any other miner in that sector in a western country.²⁷

As we have said in a previous article, the negative impact of the reforms carried out by the government and the multinationals of Canada in Colombia show in cases such as that of the

Cerrejon mine that in the last 30 years they have left losses of 14 billion dollars for the country. There are more than 1,000 workers sick, and in Drummond the number is 800, with all kinds of injuries. The mining companies evade the payment of 3.78 billion pesos to the country by not recognizing the high-risk pension for their men and women workers. A high percentage of these earnings are “reinvested” in violence and corruption to sustain and reproduce the model.

The mining-energy zones which are on average 35% of Colombian municipalities present 87% of the forced displacements, 99% of the murders of indigenous persons, 98% of murders of Afro-Colombians, 78% of murders of union members, 80 % of the total serious violations of Human Rights and 98% of the murders of social leaders in the country.

Our Call to the people of Canada

For the people of Colombia it is clear that the policies of the Canadian government and the Canadian multinationals are one thing, and the vision and commitment of the Canadian people is another. For that reason we make a call to civil society, to their social organizations and to the Parliament of the country to intervene immediately in their meddling policies in Colombia; to suspend all economic and military assistance to the Colombian government and its military-paramilitary forces and mercenaries; to suspend all investment in mining, energy and agro-industrial areas; and to contribute to building the peace which we Colombians need in order that this generation will finally live in that peace which has been denied to several generations of Colombian men and women.

Never Ending War cont.

End Notes

¹ <https://omal.info/spip.php?article6433>

² <https://www.dw.com/es/violaciones-de-derechos-humanos-en-el-congo/a-1603127>

³ <https://www.cetim.ch/violaciones-de-los-derechos-humanos-cometidas-por-las-empresas-transnacionales-en-Colombia/>

⁴ <https://www.icj.org/wp-content/uploads/2013/06/PERU-REPORTELECTRONIC.pdf>

⁵ <https://www.ocmal.org/anglogold-ashanti-caracterizacion-de-uns-amenaza/>

⁶ <https://www.ocmal.org/anglogold-ashanti-caracterizacion-de-uns-amenaza/>

⁷ <https://www.bbc.com/mundo/noticias-america-latina-53259476>. <https://www.las2orillas.co/las-fuerzas-militares-y-la-violacion-derechos-humanos/>

⁸ https://taxjustice.net/wp-content/uploads/2020/11/The_State_of_Tax_Justice_2020_English.pdf

⁹ <https://www.youtube.com/watch?v=Hg3IPAusQIY>

¹⁰ <http://www.cicad.oas.org/drogas/elinforme/informeDrogas2013/>

laEconomiaNarcotrafico ESP.pdf

¹¹ <https://sidn.ramajudicial.gov.co/SIDN/PUBLICATIONS%20PERIODICAS/TEXTOS%20COMPLETOS%20Y%20TABLAS%20DE%20CONTENIDO%20PPGaceta%20del%20Congreso/Gaceta%20del%20Congreso%202014/GC%20114%20de%202014.pdf>

¹² With an important participation of investors and businesses in Canada. <https://es.finance.yahoo.com/quote/GLCNF/holders/>

¹³ With respect to this, the president of the Union Sindical Obrera, USO, Cesar Loza, told El Heraldo that “today they pretend to evade responsibility, since the first persons in Ecopetrol and in the Government gave the contract to Glencore. There is a responsibility shared by the President of Ecopetrol, of Mr. Isaac Yanovich, with the Minister of the Treasury of the time, Mr. Alberto Carrasquilla, with the government of Uribe, and in the same way the Board of Directors of Ecopetrol, which delivers the contract to Glencore, because when Glencore delivered the contract to Ecopetrol Glencore had already signed a contract with CB&I to build the refinery.” For that reason, the union leader warns that “as a consequence

there is a systematic and continuing responsibility as much of the Board of Directors of Ecopetrol of that time, of Glencore, of CB&I and of the board of directors of Glencore which arrived later.” <https://www.elheraldo.co/economia/glencore-asegura-que-tras-contrato-entre-cbu-y-reficar-estuvo-ecopetrol-243015>

¹⁴ According to the corporation for development of exports of Canada (EDC, Export Development Canada): “Canada has become the leading country investing in Colombia.” In this sense the leading investments in this country have centered on the hydrocarbon and mining sector to the extent of 64% for 2012. <http://recientificas.uninorte.edu.co/index.php/economia/article/view/7063/6569>

¹⁵ By means of the agreement in 1998 between the Canadian International Development Agency (CIDA), the NGO of Multinationals CERI (Canadian Energy Research Institute) and the government of Colombia.

¹⁶ These “para-politicos” are Miguel de la Espriella; Eleanora Pineda; Jorge Luis Caballero; Edgar Ulises Torres, sponsor of the draft of the Mining Code and the petroleum legislation; Alvaro Garcia Romero; Mauricio

Pimiento; Alvaro Araujo, coordinator-sponsor of the Mining Code; Rocio Arias; Eric Morris; Alfonso Campo Escobar; Luis Fernando Almario, sponsor of the Mining Code; Dieb Maloof; Jairo Merlano; Luis Eduardo Vives; Juan Manuel Lopez; and William Montes, among others.

¹⁷ <https://www.dinero.com/empresas/articulo/telefonica-demando-a-colombia-por-reversion-de-activos/255705>

¹⁸ <https://corpotratierra.org/wp-content/uploads/2017/09/SINTRAMIN.pdf>

¹⁹ Guillermo Rudas Lleras, Environmental Consultant and University Professor

²⁰ <https://www.colombiaunforma.info/segovia-el-oro-y-sus-entradas/>

²¹ <https://www.semana.com/contenidos-editoriales/especiales-regionales-canada/articulo/canada-apoya-a-las-fuerzas-militares-de-colombia/530403/>.
<https://www.lafm.com.co/judicial/hay-militares-investigados-por-assassinatos-de-lideres-sociales-revela-la-procuraduria>

²² <https://repository.usta.edu.co/handle/11634/11549>

²³ According to the dozens

of confessions of demobilized paramilitaries, they received payments from petroleum companies, mining companies, food companies and agro-industrial companies, among which are found businesses with Canadian shareholders, such as the former Grey Star, and the Cerrejon and Glencore companies, among others.

²⁴ https://www.elespectador.com/colombia2020/prtoleras-y-mineras-financian-la-fuerza-publica-y-la-fiscalia-articulo.917517/?utm_source=Whatsapp&utm_medium=organic&utm_campaign=Compartido-Mobile.
<https://www.lafm.com.co/judicial/hay-militares-investigados-por-assinatos-de-lideres-sociales-revela-la-procuraduria>

²⁵ Study of the Universidad de los Andes of 2019 cited by Salomon Kalmanovitz

²⁶ <https://agenciadenoticias.unal.edu.co/detalle/articulo/la-riqueza-cada-vez-mas-concentrada-en-colombia.html>

²⁷ A European miner earns an average of 230,000 Euros per year. A Colombian working 12 hours in shifts day and night earns an average of between 10,000 and 15,000 Euros per year.

The Colombia Support Network

Action on Colombia

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