

British Petroleum-Amoco in Casanare, Colombia.

translated by Espacio Bristol-Colombia www.espacio.org.uk

An account of recent events

British Petroleum-Amoco, one of the largest oil corporations in the world, is the largest foreign investor in Colombia. They operate the largest oilfields¹, which are located in the central eastern part of the country; Cusiana and Cupiagua. These oilfields are important for Colombia as they provide both a supply of oil and source of finance. They are also important for the economic interests of BP and their partners. However serious incidences have taken place that question the benefits that oil production can bring for the country, and call into question the ethical and moral actions of those who operate the oil fields, in this case BP.

British Petroleum-Amoco, based in London, has a history of being closely related to British Imperialism. In 2002 the company merged with Amoco, a US oil company. The new company BP-Amoco is the third largest oil company after Exxon-Mobil and Chevron-Texaco, both American companies.

At present BP operates over a large area of Colombia owning the largest oil fields in the country, Cusiana and Cupiagua that have reserves of around 1500 million barrels. BP also controls the Orensa oil pipeline that crosses Colombia from east to west and owns an alternative energy company. Amoco operates important oil fields in the Santander department.

Persecution of Social Leaders

In 1996 several British journalists uncovered grave and serious evidence about BP's direct links with the Colombian army. BP was financing, to the sum of £7million², the entry of the 16th Brigade in to Yopal³. BP contracted a private military firm to provide training in counterinsurgency to police officials, and was also providing intelligence information, especially about social leaders who opposed the policies of BP. Even though the debate sparked serious controversy, a legal process against BP for its responsibilities in interfering in Colombia's internal conflict, or for taking part in the persecution against social leaders of the region could never be completed. Eight years later the majority of people who testified or who were witnesses are in hiding and live in fear. All those who gave evidence against the company during this period have had attempts made against their life, been threatened or been persecuted.

For example, the case of Abelardo Cubides,⁴ a worker for the company. Over a period of many years he frequently denounced the attacks by BP against organisations that opposed them and the links between the paramilitary groups and the company. This has resulted in continuous threats up to the present day against his life and that of his family members. In spite of the pressure of the various human rights organisations to hold BP directly responsible for whatever may happen to Abelardo, he has had to travel around the entire country in search of work as no one in the region dares to do business with him, for fear of reprisals by

¹ Initially it was 1600 million barrels, which was considered the largest oil discovery of the decade in the western hemisphere. Now the reserves are nearing exhaustion, with production predicted to continue till 2008.

² Michael Guillard, 1998 *The Secret Soldiers of BP in Colombia* (video)

³ Yopal is the Capital of the Department of Casanare, in which nearly all the oil production operations are found.

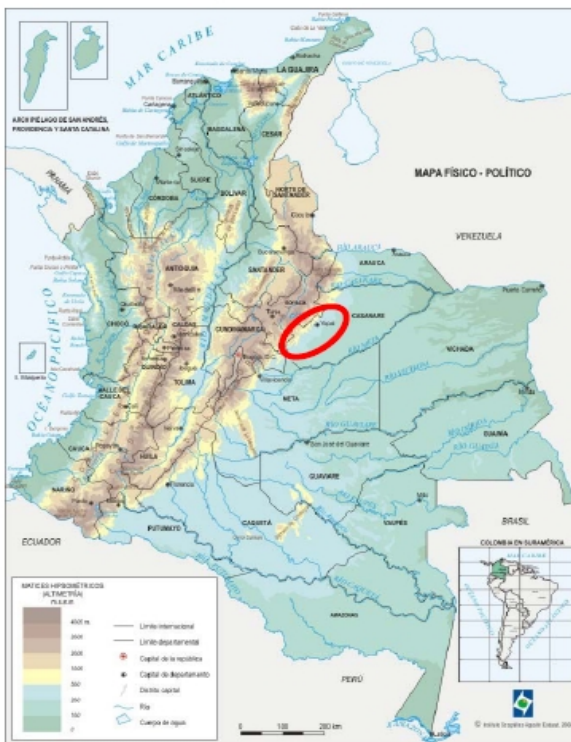
⁴ Names have been changed to protect identity.

the company, that have never been long coming. At present Abelardo is working in another part of the country, and has had to move his family there as he could not stand the threats and loneliness.

"We use to live in the city. It was like a prison, we could not go out to public places for fear of being pointed out, or for the persistent threats that we received. Nobody wanted to work with me or give me work, for fear of being pointed out by the company or its front men. To speak out against the company is like saying a blasphemy and being subjected to the inquisition"

Aberlardo is now trying to rebuild his life and is sure that he will not speak out again in public against the company. His life has been destroyed and he will never forget the fear that he has had to live with during the last eight years. He now hopes that other people will dare to speak, even though he knows that the price for highlighting the dark activities of the company has always been high.

Área General de los Yacimientos petroleros operados por la BP en Colombia



Fuente mapa: Instituto Geográfico Agustín Codazzi.
En : www.igac.gov.co

Department of Casanare

Casanare is a relatively new department, constituted in 1994 after the constitutional reform of 1991. It covers a large territory in the eastern plains of Colombia, through which four large rivers run that begin in the eastern mountain range and the upland rainforest areas of eastern Boyaca. The department historically has been a region on the margins of the centres of production and power in Colombia and it was only represented nationally after the discovery of oil.

The department's main activity is agriculture, with particular emphasis on rice production and cattle breeding. At present the department has a population of around 300,000. It has the highest income per capita in the country, at around 6million pesos monthly due to the oil royalties. However, the department gains not only from the oil, but also from its agricultural profile, its strategic location between the centre of the country and Venezuela, and as an entrance to the Amazonian region.

Unfortunately, the people who have confronted BP have not only had to bear psychological oppression, be publicly identified and persecuted; there have also been many cases of people being assassinated or having had attempts made against their life.

The assassination of Carlos Arriguí in 1996 has been perhaps the strongest blow against the campesino⁵ organisations in the entire region. Carlos was an

⁵ Translator's note: a 'campesino' is a small-scale farmer and can be translated as 'peasant'. Since 'peasant' tends to be used as an insult in English, we have avoided this translation in the report in order to avoid the negative connotations, which might be interpreted erroneously by some English-speakers.

outstanding leader, president of ADUC (Departmental Campesino Association) for Casanare. He led a protest by the El Morro Pro-Road Surfacing Committee, demanding that the company pave the road that connects the community with the city and carries the large lorries regularly to the oil wells in their area. Four months later, and without the company conceding to the demands, Carlos was assassinated in his home, in front of his family. This resulted in the breakdown of many organisations that had existed in the region long before BP's arrival.

The denouncement of this case in the international media, and the ensuing scandal forced the local authorities to build the road, directly sponsored by BP. A year later the widow of Carlos, who had no means by which to support her children, was forced to turn to the company for money, which paradoxically had been denouncing Carlos as a member of the guerrilla a few months earlier. The family also had to emigrate from the region as no one wanted to give work to the widow and the children were often singled out. They are now growing up in a place where no one connects them with their father's story.

In spite of such denouncements, the murder attempts continue. The intensity however has dropped as the number of people who oppose the company has decreased. In December 2003 Alfonso Chapparo, one of the few campesino leaders who remained in the region, and the person who contacted the European newspapers with witness statements from those attacked by BP, was the victim of a murder attempt.

Alfonso attended a meeting with Jorge Guzman, BP's head of operations in Yopal, despite his suspicions and mistrust of Guzman. Alfonso noticed that the reasons for the meeting were not clear and that Jorge was nervous towards the end of the meeting. As Alfonso left the office building he found a blacked out car in his path. Two armed men got out of the vehicle and told him to get in. Alfonso knew that if he got in he would be disappeared and so began to run towards a nearby thicket. He was not shot as it would have been too obvious if it had happened in the entrance to the company's buildings. The campesino leader is currently in hiding from his assassins and from the people that were sent to kill him in Bucaramanga, a Colombian city that receives 120 000 displaced people⁶ every year due to the violence.

Alfonso responds to the question about who he thinks was responsible for the attempt on his life:

"I think it was the business, I don't have other enemies that want to kill me, The company has never forgiven me for being involved with the European journalists when they were investigating the denouncements against BP in the region. Jorge Guzman arranged for me to come to the offices so I could be disappeared. I am sure that if they had got hold of me then my body would never have been found. I decided not to denounce it to the police as I know that in this country the justice system does not work. On the contrary, it would have given them another opportunity to kill me when I left court."

ACDAINSO, El Morro Community Association for Agro-industrial and Social Development, the organisation that Carlos Arrigú was supporting, is characterised by its critical position of the company. Since BP became active in the region, the campesinos have made repeated demands to the company; from access to employment that does not require qualifications to improvements in the local

⁶ Average 1995- 2001 State figures. They are notably less than the estimations of NGOs who state that the figures could be 100% greater.

infrastructure. As a result the organisation has received serious blows, especially during public demonstrations. In 2001 when the *campesinos* protested about the poor quality of the company's social development programmes, two members of ACDAINSO were assassinated and three more had to leave the region for fear of also being assassinated. In November 2004, the lawyer of the organisation was also assassinated and the treasurer, Jose Uribe, had to leave the region due to threats against his life.

The legal process cannot be considered credible; the majority of cases have never been investigated, due to the evident "incapacity" of the justice bodies to follow up these cases, and the Prosecutors Office has been repeatedly questioned about favouring paramilitary interests⁷.

Forced displacement in zones of oil companies interest

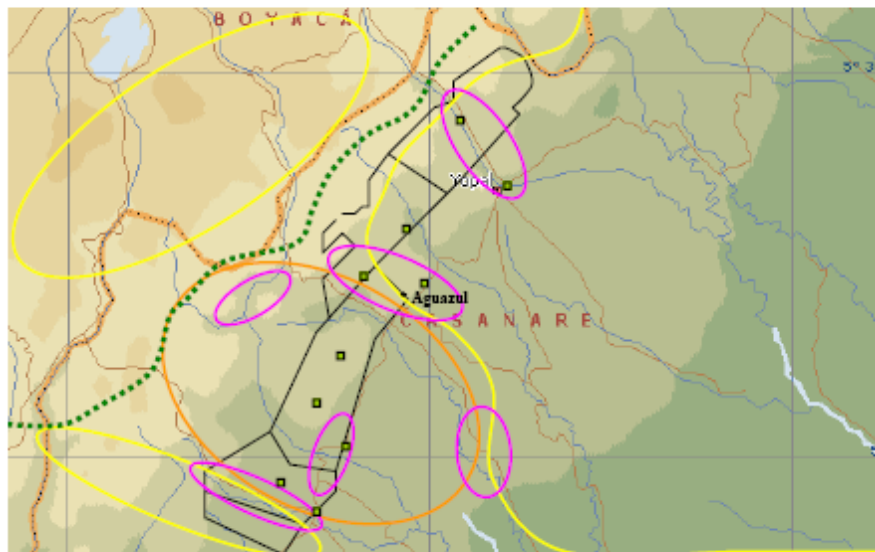
At present it is not possible to obtain proof of the links between BP and the paramilitary groups; the control they have over society; and local state bodies. As has been said, it is not possible to rely on public testimonies, as it is known that there is no way to protect people after. Many displaced by the violence have been assassinated in the places where they have hidden. Not even Bogotá, the capital, is beyond the influence of paramilitaries⁸. The "Centaurus" block, a paramilitary front that controls a large part of the eastern plains of Colombia, including the department of Casanare also controls strategic sectors of Bogotá, where they widen their networks of coercion, blackmail, and intelligence⁹.

⁷ There are various denouncements about these cases; from controversy in the House of Representatives to legal denouncements. Look in: *Semana* magazine. Second edition in April –2004 *Crisis en la fiscalía*. Luis Camilo Osorio defends himself but the web of corruption doesn't stop. Denouncements are revealed.






⁸ The paramilitary project in Colombia has been consolidated on a national level. It has gone from being a federation of private regional armies to becoming a para-state body that controls information networks, development projects and establishes programmes and policies for entire regions. Thus, the negotiations with the government in the safe haven of Santa Fe de Ralito in the department of Cordoba are fundamental to both the legalisation of the profits from narcotrafficking and to negotiate impunity for the crimes against humanity and legitimise the political –military project of the extreme right in Colombia.

⁹ Denouncement made in the House of Representatives, Gustavo Petro, in the weekly newspaper *El Espectador*, 12th September 2004. The publication of the denouncement in this article resulted in serious threats against his life

Mapa sobre los principales actores del conflicto en la región y zonas críticas por violaciones a los derechos humanos



Convenciones

-  Areas de Control Paramilitar de las Autodefensas Campesinas del Casanare ACC
-  Areas de Control Paramilitar de las Autodefensas Unidas de Colombia AUC
-  Areas con antecedentes de Violaciones a los Derechos Humanos o al Derecho Internacional Humanitario
-  Batallones o Emplazamientos Militares
-  Corredor Guerrillero

As well as the persecution of social leaders in the production area of BP, the Centauros Block also controls the area. They control the politics, the economy and other aspects of life in the region¹⁰. It would be strange for BP to have no links with these groups, despite sharing zones of influence and interests. There have been cases of forced displacement, disappearances and massacres perpetrated by paramilitary groups that coincide spatially and temporally with the exploratory activities of the companies:

- Recetor was a rural village of 1711 people¹¹. At the beginning of 2002 the army arrived to 'secure' the region by taking control over strategic places. Days after, people in the village of Recetor began to disappear, in spite of the control exercised by the Colombian army. One day uniformed men summoned men by name and ordered them into vehicles, after which disappearances took place nearly every day. In total 63 people disappeared. The population, terrorised, emigrated from the village. Those who did not have the money to leave had to bear the fear in silence. Six months later and 65 people gone, exploration for oil began in the municipality, exploration that had been put off for many years. One year later, BP had not found any oil fields and the police officer investigating the case had not found any of the bodies of the disappeared people.
- At the beginning of 2004, 15 families from the Mosquera hamlet near Yopal were displaced from their farms and homes after a distinguished local leader was assassinated. Months later oil exploration began without any light being shed on these violent events.

¹⁰ There have been various scandals of corruption between public officials and paramilitaries in the awarding of large state contracts. See: El Espectador, 19 December 2004 "Raponazo" of the paramilitaries in the public treasury.

¹¹ Departmental development plan for Casanare 1999

- At the end of 2001 in the Paraiso hamlet in the municipal of Aguazul, paramilitary groups carried out various murders that resulted in a massive exodus of people from the zone. In the middle of 2002, the oil companies arrived in the region.

The campesinos are often stigmatised as being members of armed groups in the conflict and their presence is seen as a threat of the interests of the largest investors. Under the control of the paramilitary groups of these regions, there is no mercy for those who represent a risk to their interests or those who are suspected of belonging to the guerrillas. Paramilitaries in Casanare have used the same tactic as across the rest of the country: they displace the local campesinos, systematically terrorising the population, take control of land, houses and then repopulating the region with new social groups.

Even if BP doesn't have any relationship with the terror tactics used by the paramilitary groups in the region where BP operate, there is no doubt that they benefit from their practices, through controlling whatever risk of sabotage by the guerrilla and the opposition that the social organisations present to their activities.¹²

Apart from the coincidences of interests and areas of influence, there exist signs of the direct link between members of paramilitary groups and high executives of the company. It is common to observe prominent paramilitaries providing private personal protection to the directors of the business. As Diego Velez commented, a known leader in the region:

"Dr Alejandro Rodrigues (head of operations of BP in Aguazul) has a known paramilitary as a private bodyguard. His name is Jhon and he is from the paramilitary group Los de Martin Llanos.¹³"

Environmental Problems

The environmental impacts of BP in the region are very worrying for the future possibilities of life in the local communities. The accelerating deterioration of the soil condition, the drying up of the rivers and the gradual disappearance of plant and animal species puts the survival of communities in the region in serious danger, due to the radical modification of the natural conditions.

The local environmental monitoring agency (CORPORINOQUIA), which has the jurisdiction to follow environmental problems in the region, has guaranteed the operation of the company. However the role of the corporation has been heavily questioned by local campesino organisations, since Corporinoquia has a technical character and ignores the serious problems that destroy the region. There are various illustrative examples of this:

¹² Contrary to general impressions, oil exploration generates serious problems to the soil structure and the waterways of the region. In general the exploration has to be accompanied by a large compensation to the farmers for the disappearance of streams, landslips or sinking of land, or the damage to the infrastructure of the farms. Thus the displacement or depopulation of entire regions can signify a considerable saving of compensations related to the oil exploration.

¹³ The paramilitary project (the extreme armed right) was consolidated in the north of Colombia towards the end of the nineties. It has now widened its network of influence to strategic regions of the country, or to areas where direct sources of finance exist, e.g. illicit crops, gold or emerald mines and oil exploration. With oil they can obtain large sums of money through blackmail, the sale of "security services", or the direct investment in lucrative businesses with money laundered from narcotrafficking. The recent war between paramilitary groups in Casanare resulted in the Casanare self-defense campesinos, (Los de Martin Llanos) being practically eliminated. It is now assumed that the "contracts" of private security held by the Centauros with the management of BP have now passed to the AUC.

Despite Corporinoquia stating that BP has achieved the necessary environmental standards, the damage caused by their impact is evident. The obsession of following technical methodology has displaced the importance of the structural problems that afflict the environment in the region. That is, while the environmental authorities concern themselves with whether spillages from the oil wells fit within the regulations (something which is not even possible to know) they fail to observe the evident drying up of the watercourses in the region.

Perhaps the most sad and evident consequence is the gradual drying up of the rivers, something that only the elderly inhabitants can recall. The environmental authorities have only existed for 8 years and there tends to be a high staff turnover. No one within Corporinoquia can be certain to what extent the rivers have dried up and since when.

When asked about the causes of the depletion of the local water, the management of Corporinoquia said:

"It is principally due to the diversion of water that campesinos in the mountainous regions do for use on their crops and also due to the deforestation that the campesinos from the Galleria forests do."

There exists a unanimous affirmation about the drying up of the watercourses in the region, however no one knows its magnitude or its future and nor does there exist a shared view of its origins. For the environmental authorities the problem of water in the region (and environmental problems in general) are the *campesinos* that live at the head of the rivers. Yet the campesinos have farmed in the same way for the last two hundred years; water use is seasonal, restricted to summer, and the size of their cultivations are small scale and low intensity, thus requiring a quantity of water that does not significantly disturb the water flows.

One should also consider the part of the destruction of the Sub Andean forests, where the sources of the rivers are, in creating these problems. The construction of infrastructure interrupts the watercourses; the seismic exploration and the injection of water in the depths of the subsoil makes the watercourses disappear. All this is the direct responsibility of the Corporation. It has never been quantified in spite of the local community's denouncements about the disappearance of the watercourses in the areas in which the company has explored and constructed their installations and pipes.

BP's use of 11,247 litres of water per second, equivalent to 97 million litres a day, has never been considered as responsible for the water issues. The water, which they have permission to take, comes from the principal rivers in the region. The contamination of the water, originating from the chemicals used, has never been evaluated. This contamination affects the lives of those who live downstream. In the region, to point the finger at BP is considered subversive, and thus a substantial threat to the life of the person.

Within Law 99 of 1993 article 43 establishes the rates for use of water.

"All projects that involve the use of water, taken directly from natural sources, whether for human consumption, recreation, irrigation or any industrial or agricultural activity should assign no less than 1% of all investment to the recuperation, preservation and monitoring of the water basin that feeds the respective water source."

BP has never assigned 1% of the investment they made in wells where water is used. The total investment comes to \$16 million for the construction of the wells,

\$3 million for the construction of the flow lines and \$2 million for the production plant. At present BP's debt for the recuperation of the water basin has not been recognized.

The deterioration of the quality and quantity of the water¹⁴ is worrying; it restricts many activities necessary for life and nature within the region.

The extensive plains in the east and center of the department that use water for cattle rearing and rice and palm cultivation, are threatened by the presence of contaminants which have not been thoroughly studied (such as traces of bio accumulates such as DDT) or the gradual decrease, ever more marked, of the water that maintains life in the region.

*"Water contamination is seen most in winter. After torrential downpours foam appears in the rivers. We don't know what it is but when you drink this water, you get diarrhea and stomach pain. So we know that when it rains you can't drink water from the river because the oil plants contaminate it."*¹⁵

The decrease in water volumes put at risk the fragile aquatic ecosystems that exist in the region, without taking into account the complete modification of the regional water cycles. This means that the subsistence activities such as food growing and cattle rearing in the region are at risk, as they depend directly on the watercourses that flow through the region.

If it is difficult to investigate the death of a person in the region, then it will be even more complicated to investigate those responsible for the death of a river.

In the case of alterations to the ground, in agreement with decree 561/94 the Corporation should reforest ten times the forest area that has disappeared. Equally they should compensate for their intervention in wooded areas, by reforesting an equivalent area. Nevertheless, the diverse social actors related to the environment, including the local authorities, share common ground in pointing out the non-compliance of BP with the regulations: for example approximately 500ha of rainforest that they have yet to reforest.¹⁶

The reasons that are put forward are varied. One is the Company's lack of environmental management which shows up BP's lack of commitment to its environmental responsibilities and how its enormous political influence, both regionally and nationally, allows this to occur. Other reasons blame the problem on the public order situation. As such initiating a reforestation programme could have additional risks for the Company (when in practice it has already intervened in the eastern region of the Department by adopting several security strategies).

In any case, the company hasn't given a response for its non-compliance of the regulations, and what is even worse they haven't reported the consequences of the

¹⁴ There are no detailed studies which measure the level of water volume depletion of the rivers in the region, but all the social organisations are worried by the clear depletion of this resource.

¹⁵ Interview with *campesino* in Yopal. Despite this, the testimonies of those who live in the region are disqualified in advance. It appears that the local environmental authority only listens to the queries or complaints of those who have legal or economic power to demand it

¹⁶ Sometimes the term 'reforest' is confused with the planting of trees. In the case of an equatorial ecosystem, to reforest is the recuperation of a biodiverse and self-sustaining system. This requires scientific, technical and practical work much more complex than planting a few different species of trees.

deforestation process; that is the disappearance of water sources, the acceleration of the loss of the Andean forests.¹⁷

The environmental authorities do not escape the power of deterrence that favours the large economic interests. Humberto Vargas, while Director of Corporinoquia strictly pressured the oil company to comply with environmental regulations. He left his job before the predicted time, and was killed months later for reasons that are still not clear.

Unions

The union movement in the department is incipient, partially explained by the low level of production activities and the small quantity of formalised work, and on the other hand due to the large scale official and non-official oppression of the work of the union. In spite of this there remain some unions, primarily in the public sector.

The old unions of the state companies such as education and telecommunication have been dismantled, due to the liquidation of the companies and persecution by far right groups. It has been publicly announced by military officials that their assignment is to avoid the development of unions in BP and Occidental plants.

"The vigilance of USO (Oil-workers union) is considered one of the principle missions that military belonging to the intelligence department, known as the 20th Brigade have to develop... We have to investigate USO to ensure that they do not promote the idea of unionizing within BP and OXY"¹⁸

This implies the monitoring and persecution of USO members and the control of the zones of influence of the Oil Corporations There was no legal action taken against these announcements that openly rejected the right to free association of the workers.

However, this situation has an older context, in the 1980s, the workers organized themselves in to a union, Asopetrol, which was affiliated to Fedepetrol (Federation of oil sector unions), but persecution by their employers finished the union off within a few years.

In accordance with various members of USO, the attempt of the union in 1998 to form a branch in Casanare, especially with the workers of BP, was destroyed due to threats and assassination attempts carried out by paramilitary groups. They declared any union organisation, but particularly those within the oil industry, as military objectives.

Various unionised workers from ECOPETROL were threatened and harassed and had to flee the region for fear of death. An example is Antonio Contreras who in 1999 while working to organise BP workers, was kidnapped along with two friends. He was tortured, and information about the organisation he represented was demanded. He was released on the condition that he did not return to the region. Today Antonio is a political refugee living in exile.

To Conclude

¹⁷ Less than 5% of the original Andean forests remain, despite some degree of intervention. It is an extremely important ecosystem for the country, as it is a globally unique equatorial rainforest, and it also provides much of the water for the country.

¹⁸ Ríos Julian. Anti-union military intelligence officer in Oil plants, July 20, 1997

BP-Amoco is one of the largest transnational corporations in the world. It is to be expected that they spend resources on 'cleaning' their image internationally and on maintaining a public opinion that is convinced BP respect human rights and the environment. However, there are strong doubts about the impartiality of the Corporation in Colombia when they provide assistance to extreme right groups in the country. It is practically impossible to maintain an activity that has a large territorial impact, such as oil exploration, without establishing "alliances" with illegally armed groups, in one of the most violent regions in the country.¹⁹ There is no ethical justification for maintaining a business that in some way finances what is at present, the bloodiest war of the western hemisphere.

It is very difficult to demonstrate the connections between this company and paramilitary groups, in spite of the fact that it's an open secret in the region. The evidence is compelling: a regime of fear which leads to community submission, the widespread complicity between profitable businesses and paramilitary groups and the dependency of state institutions on powerful elites.

The deterioration of the environmental conditions, such as the gradual disappearance of the rivers and streams, of important biodiverse forests and the end of various crops due to air contamination, appear to have a special relationship with the Corporations operations. The controls over the Corporation by the environmental authorities appear symbolic, judging by the low level of compliance and the minimal institutional independence from the enormous influence of the Corporation,

Following on from the above, multinational corporations should abstain from intervening in areas where armed conflicts exist, or areas of great environmental or cultural importance, such as indigenous reserves, ecological reserves, amongst others.

For the irreversible damage that multinationals directly or indirectly cause on life in the regions, it is necessary to use mechanisms in order to conscientiously evaluate the environmental impacts and their responsibility for the human rights violations. Details of the damage that British Petroleum has caused the Colombian nation and the communities in Casanare should then be made public.

¹⁹ The statistics on violent deaths in Colombia are on average around 45 murders for every 100, 000 habitants, in some cities in Casanare it is nearly 500.