

Community Action and Witness Resources



Days of Prayer and Action for Peace in Colombia
2007

On the day of action for Colombia there are many actions you can take. In this section you will find resources to help you plan your day of action. Some things you can do are:

- Meet with or write a letter to your Member of Parliament, the Prime Minister, and the Minister of Foreign Affairs: We have included talking points on Colombia and tips on how to reach your Member of Parliament.
- Sign the Petition for a Legal Framework for Canadian multinational Corporations operating overseas.
- Host a film screening: Tips and suggestions for how to host a film screening.
- Host a house meeting or discussion group: We have developed some tips on hosting a house meeting which included some discussion questions.
- Plan a vigil or other visible community event: Here you will find tips and suggestions on how to plan and organize an event to raise awareness about Colombia.



Background Information **

Canadian Policy and Colombia

Canada's foreign policy towards Colombia has been a relatively passive one, historically. However, there are two issues which should unsettle Canadian citizens: one being the unconditional support the Canadian government has demonstrated in the dangerously flawed negotiation process with paramilitary groups, and the other being the lack of federal legislation for Canadian multinational firms operating in the resource extraction industry - an industry that has been notorious for employing questionable techniques in land acquisition, including the use of paramilitary forces in the displacement of communities. These two areas of policy are particularly alarming given that Colombia is home to the world's second largest community of internally displaced persons, surpassed only by Sudan.

What we are asking of government

1. Canada's Diplomatic Role

- ⊕ Canada must ensure that Colombia remains a foreign policy priority in the Americas. Canada should employ a human rights framework to inform all Canadian policy towards Colombia, including trade and investment policy, in order to ensure policy coherence with our obligations under international human rights law.

2. Canada's Role as Donor

- ⊕ Canada should support and encourage an independent, strong and diverse human rights community in Colombia.
- ⊕ Foreign Affairs Canada and CIDA should evaluate the effectiveness of the funding provided to the demobilization and OAS Mission by the end of March 2007. The Canadian government should only continue to fund the demobilization process if there are clear verifiable results that demonstrate an effective dismantling of paramilitary structures, credible and integral reparation, and the fulfillment of the rights to truth and justice.
As a part of this, Canada must urge the Colombian government to implement the Constitutional Court's ruling and amendments that would bring the Justice and Peace Law in line with international standards.

3. Canada's Role as Investor and Trading Partner

- ⌚ Canada should lead the way towards rights-based trade and investment policies in the hemisphere by developing a framework for a human rights impact assessment (HRIA) for existing and proposed international trade agreements, including the FTAA, bilateral, and regional agreements.

- ⌚ Canada should commission an independent review involving the effective participation of civil society actors, on the impact of the Colombian mining code reform and Canada's role in its reform, on the environment and on the health and human rights of people, especially indigenous peoples, peasants, and Afro-Colombians. The review should be completed before FAC, International Trade, and the Embassy promote Canadian investment in the Colombian mining industry.

**Taken from "Towards A Human Rights Framework for Canadian Policy on Colombia", (America's Working Group – A Working Group of the Canadian Council for International Cooperation, November, 2006)

Meeting with your Member of Parliament

On the May Long weekend, most MPs will be in their ridings, available to talk with constituents and available for public events. Especially this year, when the possibility of the government falling and elections being called in the near future, it is a great opportunity to meet with your MP and share your concern over Canadian policy on Colombia and what you hope Canada changes. If you are not able to speak with your MP directly, writing letters to them, making phone calls and contacting their aids are all alternatives.

Step 1:

Find out who your member of parliament is and how to reach them at their constituency office: go to

<http://webinfo.parl.gc.ca/MembersOfParliament/MainMPsCompleteList.aspx?TimePeriod=Current&Language=E>

Step 2:

Know the issues. It is very possible that your MP does not know much about the issues regarding Colombia and Canadian foreign Policy. You might find yourself in the know more than them. Be patient and explain clearly and carefully what the issues are, why you are concerned and how you want them to respond.

Step 3:

Organize a group to go together. There is strength in numbers. If your MP sees that these issues are ones of concern for many members of their constituency, it is more likely that they will take action when they return to Ottawa.

Step 4:

After explaining the issues, answering questions, and having an amicable conversation:

- Suggest the recommendations outlined in this packet;
- Present the petition from the packet signed by members of your community; and
- Ask for a follow-up meeting within the next 3 months.

Writing A Letter/Signing and Sending the Petition

The Canadian government views every one letter sent as the voice of 100,000 citizens. The assumption is that the concerns and recommendations stated are shared by a larger proportion of the populous. These letters can be sent by snail mail and sent over email.

- The first letter is to the Primer Minister, Minister of International Trade, Minister of Foreign Affairs and the Desk Officer for Colombia, asking for specific recommendations to be taken in Canadian policy towards Colombia.
- The second letter is addressed to the Canadian Ambassador to Colombia, recognizing his efforts to understand more of the Colombian human rights situation by participating in a Christian Peace Makers delegation in January of 2006, as well as the same recommendations made to government in the first letter.
- The third is a petition which was developed by the Halifax Initiative, asking Canadian government to develop a legal framework for Canadian multinational corporations operating overseas in the extractive industry.

Addresses and Phone Numbers:

The Right Honourable Stephen Harper
House of Commons
Ottawa, Ontario
K1A 0A6

(613) 992-4211
Harper.S@parl.gc.ca

The Honourable David Emerson
House of Commons
Ottawa, Ontario
K1A 0A6

(613) 943-0267
Emerson.D@parl.gc.ca

The Honourable Peter MacKay
House of Commons
Ottawa, Ontario
K1A 0A6

(613) 992-6022
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Ms. Christine Climenhage
Lester B. Pearson Building
125 Sussex Dr.
Ottawa, Ontario
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(613) 995-1541
Christine.climenhage@international.gc.ca

Mr. Matthew Levin
Carrera 7 #115-33 A.A.53531
Bogotá, Colombia

Fax: (57)-1-657-9912
bgota@dfait-maeci.gc.ca

To:

The Right Honourable Stephen Harper, Primer Minister

The Honourable David Emerson, Minister of International Trade

The Honourable Peter MacKay, Minister of Foreign Affairs

Christine Climenhage, Desk Officer – Colombia, Ecuador, Caribbean, Central America and Andean Region Division (RLC)

Dear Mr. Harper, Mr. Emerson, Mr. MacKay and Ms. Climenhage,

We are writing to express our concern regarding the current humanitarian catastrophe in Colombia and Canada's role in exacerbating the armed conflict through not responding to the dire needs of the internally displaced population, as well as the presence of our multinational corporations operating in the country with no framework for accountability. As a community of faith, we believe in Jesus' teachings of Justice, Peace and Dignity for all peoples, and it is this faith that calls us to make this request of you, our elected officials and policy-makers.

We urge the Canadian government to take the following suggestions seriously and act upon them, as according to the responsibility the government has to the members of its citizenry.

- Canada must ensure that Colombia remains a foreign policy priority in the Americas. Canada should employ a human rights framework to inform all Canadian policy towards Colombia, including trade and investment policy, in order to ensure policy coherence with our obligations under international human rights law.
- Foreign Affairs Canada and CIDA should evaluate the effectiveness of the funding provided to the demobilization and OAS Mission by the end of March 2007. The Canadian government should only continue to fund the demobilization process if there are clear verifiable results that demonstrate an effective dismantling of paramilitary structures, credible and integral reparation, and the fulfillment of the rights to truth and justice.
As a part of this, Canada must urge the Colombian government to implement the Constitutional Court's ruling and amendments that would bring the Justice and Peace Law in line with international standards
- Canada should lead the way towards rights-based trade and investment policies in the hemisphere by developing a framework for a human rights impact assessment (HRIA) for existing and proposed international trade agreements, including the FTAA, bilateral, and regional agreements.
- Canada should commission an independent review involving the effective participation of civil society actors, on the impact of the Colombian mining code reform and Canada's role in its reform, on the environment and on the health and human rights of people, especially indigenous peoples, peasants, and Afro-Colombians. The review should be completed before FAC, International Trade, and the Embassy promote Canadian investment in the Colombian mining industry.

We take these recommendations from the Americas Policy Group briefing, "*Towards a Human Rights Framework for Canadian Policy on Colombia*", published in November of 2006 and presented to the All-Government meetings held in the same month.

Thank you for considering these recommendations and responding to our petition as concerned members of Canadian society.

Blessings, in the name of Christ,

Your church's name, address and persons signing

To: The Honorable Matthew Levin, Canada's Ambassador to Colombia

Dear Mr. Levin,

We are writing with two intentions.

The first is to recognize the efforts made by the Canadian Embassy in Colombia to better understand the human rights calamity in Colombia by participating in the delegation organized by Christian Peace Maker Teams in January of 2006 to Barrancabermeja. We congratulate you on your efforts and concern.

The second intention is to express our concern regarding the current humanitarian catastrophe in Colombia and Canada's role in exacerbating the armed conflict through not responding to the dire needs of the internally displaced population, as well as the presence of our multinational corporations operating in the country with no framework for accountability. As a community of faith, we believe in Jesus' teachings of Justice, Peace and Dignity for all peoples, and it is this faith that calls us to make this request of you, our elected officials and policy-makers.

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Your church's name, address and persons signing

***Petition concerning Corporate Accountability of Canadian Companies
Overseas***

(When complete, return to Andrea Botto, c/o Halifax Initiative, 153 Chapel Street, Ottawa, ON K1N 1H5)

PETITION TO THE HOUSE OF COMMONS IN PARLIAMENT ASSEMBLED

We, the undersigned citizens or residents of Canada draw attention of the House to the following:

THAT the Canadian extractive industry, including mining, oil and gas companies, have been implicated in well-documented cases of human rights violations and environmental disasters abroad. Allegations of toxic dumping, the destruction of protected areas, forced displacement of indigenous peoples, collaboration with repressive regimes, and threats and intimidation of local communities, have been associated with the activities of specific Canadian companies.

THAT the Government offers both political assistance (for example, through its embassies and trade commissioners) and financial support (for example, through Export Development Canada, the Canadian Pension Plan, tax breaks) to Canadian extractive companies that operate abroad;

THAT when Canadian corporations go abroad, there are no effective accountability mechanisms in Canada to ensure that they abide by international human rights law and environmental standards;

THAT the Government of Canada is legally obligated as a signatory to international human rights, environmental and labour treaties to respect, protect and fulfill these rights. The government has a responsibility to ensure that actions of Canadian government and non-state actors, including Canadian companies, do not undermine human rights in other countries.

THAT the current voluntary approach to corporate accountability has failed in practice, and relies on the willingness of companies to comply with human rights and environmental standards;

THAT a report on Canadian mining operations overseas issued in June, 2005 by the Standing Committee on Foreign Affairs and International Trade recommended that, “more must be done to ensure that Canadian companies conduct their activities in a socially and environmentally responsible manner and in conformity with international human rights standards.”

THEREFORE, your petitioners call upon Parliament to require Canadian companies operating internationally to meet clearly defined corporate accountability standards, including existing international human rights and environmental standards, as a precondition for both public financial and political assistance that they receive through such public entities as Canadian Embassies, Export Development Canada and the World Bank Group. To ensure that these standards are met, we also request that Parliament develop effective monitoring, verification and compliance mechanisms to ensure that Canadian companies operating internationally meet these clearly defined standards. We further call upon Parliament to develop legislation to hold Canadian companies and their directors accountable in Canada when found complicit in human rights abuses and environmental destruction abroad and to offer victims of such violations a forum where their grievances can be addressed.

Signature	Address (full home address or city and province)
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Some more Ideas for Action
(From the Witness for Peace Community Action Packet, www.witnessforpeace.org)

How to Host a Film Screening

Publicize! Use the fliers included in the organizing packet, create a bulletin insert, or create your own flier to bring people to your March educational film screening.

Create an Environment conducive to the screening. Make sure you have the proper audio-visual equipment available and that it is functioning properly. (It's a good idea to arrive at least 30 minutes early to make sure the equipment is working properly!) Hang posters, have fact sheets available for folks as they come in (Fact sheets can be found in the Organizing Packet).

Sign In! Make sure all people that arrive sign in so that after your screening you can organize the Days of Prayer and Action.

Feature Presentation! Show "Who Shot My Brother", (documentary by Colombian-Canadian film-maker and produced by CBC), "Colombians Speak Out about Violence and US Policy", or another film about Colombia. Consider providing snacks to make people feel comfortable—this will help keep folks around for the discussion that will follow the film.

Discussion! Start a conversation with the viewers about what they just saw. If the discussion drops off at any point, feel free to use the discussion questions included in the Organizing Packet.

Be Ready for Action! After seeing the film, folks will be energetic about working for peace and justice in Colombia. Be ready to begin organizing your community for the Day of Action on May 21.

How to Host House Meeting

The following is a suggested schedule for your house meeting with a few ideas on the central activity for the meeting. As always, we encourage you to be creative and adapt any of our suggestions to the needs of your community.

Advertise - Place posters and flyers giving the When/Where/Why about your meeting. Good places are in your church or synagogue or your faith community's bulletin or newsletter.

Create an Environment - Make sure there is enough space for people to feel comfortable.

Be sure to provide light snacks and soft drinks.

Welcome and Sign In - As your guests arrive, have them sign in with names and contact information. This will make it easier to organize events as a follow up to your meeting and discussion. Name tags are a good idea for people to get to know one another.

Host Introduction - Give a brief explanation of who you are and why you are hosting a meeting concerning Colombia. It is also a good idea to give a brief explanation of

the situation in Colombia and the history Canadian involvement in the country. (Use fact sheets in this packet or go to peaceincolombia.org for more information.)

Guest Introductions - Have your guests introduce themselves to the group. Have people introduce themselves and say why they are attending the meeting. This will help break the ice and build community.

Show Video/Introduce Guest speaker - Video suggestions can be found above, and great guest speakers might be someone from your community, church, school or workplace who are Colombian refugees, people who have served or lived in Colombia, or academic experts on Colombia.

Discussion - Talk as a group about the film or the topics raised by the guest speaker. Feel free to use the list of discussion questions provided in this packet.

Closing - Thank everyone for coming, and make sure that everyone has signed in before leaving. Allow time for people to mingle and continue conversation.

Follow Up - Use the energy generated during the house meeting to organize follow up meetings to plan specific actions during the Days of Prayer and Action for Colombia.

Discussion Questions

The below discussion questions have been developed for use in facilitation group discussions on issues surrounding the conflict in Colombia and the role of U.S. foreign policy in the continuing conflict. You can use these questions to guide discussions after a film screening, presentation or as part of an general discussion group in your school or faith community. Remember these questions are just suggestions and are not a concrete format for a discussion.

1. What are your thoughts and reactions to the role of U.S. foreign policy in the conflict in Colombia?

Encourage space for people who may have been very unaware of Canadian policy towards Colombia to express their thoughts. Be understanding of confusion and/or shock.

Keep this part of the discussion short and to people's most immediate reactions.

2. Which issues stand out to you the most?

Develop the discussion around the issues people in the room are interested in such as the drug war, trade, human rights, peace communities, etc.

As a follow up question ask whether people to talk about their previous perceptions of these issues and if they have change upon learning more.

3. After learning about our governments role in the ongoing conflict in Colombia how are people feeling? Are you feeling angry? Frustrated? Sad? Why?

This can be a good time for people to talk about what motivates them to want to learn about and work on the conflict in Colombia.

This may be a good time to ask the group how many people had previously known about the conflict in Colombia. Ask those folks where they learned about Colombia and what activism if any they have done.

Start to build a sense in the room that there are things that we can do to change our governments role in the conflict in Colombia by getting examples from experience of people in the room.

4. How can we take these emotions and turn them into effective action to change Canadian Policy towards Colombia.

If you have an action idea people can plug into now is the time to introduce it to the group.

If you are doing a small group discussion with a known group of people then use the time to discuss what kinds of actions you all thinking you might want to do.

Have the discussion leave people feeling hopeful and inspired.

How to Organize a Public Vigil

Put together an organizing committee. This can be a small group, but it would be best to have at least a few people to be point-people for outreach, doing press work, arranging permits (if needed), and putting together a program (if desired).

Secure a permit if needed. If holding the vigil in a public area, contact your local police to advise them of your vigil, find out if you need a permit and how to acquire a permit if you need one. Try the "Special Operations Division" police listing in the yellow pages, or find the right contact through the general information number. Explain what you plan to do and the police will tell you the classification of your action. While many public demonstrations do require a permit, a "picket" does not. Do this early, as securing a permit takes approximately 15 days.

Publicize your event to the community and local press. Maximize the impact of your efforts; secure as high an attendance as possible and educate a broad audience with the message.

Outreach: You may use the Colombia Days of Prayer and Action Flyer included found on the mcc.org/Colombia site - or - Create your own posters/fliers and hang them in public places advertising your event.

Press: Send a press release to your local news outlets (print, radio,

and/or television). Include the date/time/location of your event, along with a description of the purpose of your vigil. Even if they can't make your vigil, a page with sample quotes and basic information would be sufficient for journalists to do a write-up of your vigil.

Select readings for your vigil, if you choose. Some sample readings for a candlelight vigil from Lutheran World Relief can be found at <http://peaceincolombia.org/vigilhowto.htm>, or the worship packet sent out by MCC. Please feel free to adapt it to your community's needs

Encourage people to sign petitions demanding action and policy change. Sample petitions can be found at www.peaceincolombia.org.

Send us a digital picture of your vigil! Show as many faces as possible, a campaign slogan and, if available, a sign indicating where you are. We want to post images of all events around the country to our photo gallery page, to encourage our Colombian partners and to share our actions with one another here in Canada.

Convene a coffeehouse for peace A youth-focused advocacy initiative

Gather people — youth, young adults or others — in a church basement, community center or another informal setting. Let church youth help create an atmosphere where they can invite school friends, young folks from the neighborhood and even the media to learn about Colombia and to respond to the suffering there.

The event would include a time to share information, a time for young people to share their gifts through music, drama or poetry and a time for an advocacy initiative, such as letter-writing, signing a petition or planning a later public vigil or march.

- [Read stories about Colombia](#) and the impact the decades-long armed conflict is having.
- Use examples from a [human rights report \(PDF\)](#) on how the conflict is impacting Colombia's Protestant churches.
- View a short video, "[Speaking Out: Displaced Colombians No More](#)," available from the MCC Resource Library.
- Discuss a book about Colombia, such as "More Terrible Than Death: Massacres, Drugs, and America's War in Colombia," by Robin Kirk.

Open the microphone. Give participants a chance to share their gifts and talents, whether through music, dancing, theater or poetry.

Advocate. Offer the opportunity to respond to the situation in Colombia. Participants could write letters, sign a petition or plan a public march or vigil. See [resources to speak to lawmakers](#) (mcc.org/Colombia) Youth could create posters or other artwork. Children could color or paint a mural for peace in Colombia.

Incorporate a taste of Colombia. Display photographs or artisan work from Colombia. Serve fairly traded Colombian coffee, coca tea or dried tropical fruit. In Cazucá, an impoverished area on the outskirts of Bogotá, Frutos de los Andes pays fair wages to small-scale farmers for fruit that is hand-cut, dried and sold in the U.S. and Canada, including in Ten Thousand Villages stores. Find Colombian delicacies such as buñuelos, a cheese bread, at Colombian bakeries. A popular late afternoon or early evening snack in Bogotá is hot chocolate with bread and a white cheese — some people dip the cheese into the hot chocolate.

For more ideas for public action, go to the peaceincolombia.org website, or witnessforpeace.org website.

Remember: Be creative and send us pictures, reflections and experiences shared by you and your community.

Background Information on Colombia and Canada's Role

The United Nations has called Colombia the worst humanitarian crisis in the Americas. Grave violations of international humanitarian law have been committed by all of the armed actors – guerrilla, paramilitary, and state security forces. The origins of the armed conflict lie in the political exclusion of large segments of the Colombian population and the inequitable distribution of resources within the country.

In an attempt to end the conflict, President Alvaro Uribe has pursued an aggressive security program since 2002 that has had mixed results. There have been minor “successes” under this policy, particularly in Colombia's urban centres, but there have also been many setbacks for the rights of large parts of the Colombian population. The policy has also been strongly criticized

for not respecting international human rights and humanitarian law. At the same time as reports of human rights violations by the military have increased, Colombia has made very little progress toward ending widespread impunity of human rights abusers.

Forced displacement of families from their homes has continued, increasing the vulnerability of hundreds of thousands of people every year, the vast majority of them women and children; the rights of Indigenous and Afro-Colombian populations are seldom respected in the country; workers' rights have been stripped away such that Colombia continues to be the most dangerous country in which to organize labour; and attacks and threats against defenders of the above populations by state and state-allied forces has continued at alarming rates.

All of this is taking place in a country with a massive illegal economy of drug production and drug smuggling operated by very wealthy and influential individuals, and a war between illegal armed actors and military forces (some of them also illegal) allied with the state often for control of the country's wealth. Many of the "drug cartels", for example, are closely linked to Colombian paramilitary organizations, and in a number of cases are one and the same. Guerrilla organizations are also involved in the production and export of cocaine.

Despite repeated calls from the international community for official Colombian forces to sever their ties to these "narco" forces, collusion between paramilitary groups and the Colombian military continues to the point that paramilitary leaders claim to have control over much of the Colombian state. Such economic and political power in the hands of paramilitary "death squads" and their leaders has seriously weakened democratic structures in Colombia.

Even the legal Colombian economy is under threat. The rights of workers have been undermined by a series of legislative reforms legalizing the withdrawal of benefits mandated by law in accordance with Colombia's international obligations. Permanent jobs in the formal sector are being eliminated and replaced with non-unionized, casual and subcontracted work, while state enterprises are being liquidated and sold off. Deregulation of employment has resulted in a bloated informal economy and a rising number of sweatshops ("maquilas") in free trade zones outside the reach of labour laws.

Changes to labour law are being effected at the same time as the harassment, murder and disappearance of trade union leaders and members of Colombian civil society organizations. By intimidating and terrorizing human rights defenders, union leaders, and much of the Colombian population, wealthy and powerful Colombians are attempting to remove all obstacles to their concentration and control of the entire Colombian economy and political system.

President Uribe's "peace process" with the paramilitary and other illegal forces has also been roundly criticized by the United Nations and Colombian civil society organizations. The new Justice and Peace Law, intended to provide a legal framework for the demobilization of illegal armed groups, does not meet international standards for truth, justice and reparations for victims of human rights abuses. Even more problematic, the massive demobilization of 30,000 paramilitaries happened under a previous legal regime – outside of an adequate legal framework. The Justice and Peace Law of 2005 provides no basis for investigation or prosecution of past crimes, for example. It does however, provide reduced sentences for people who an outstanding legal charge against them. As well, it has become clear that the demobilization process under way under the Law does not provide the mechanisms to ensure the dismantling of the structures of illegal armed groups themselves, or the many criminal activities they operate. In fact, the OAS Mission mandated to verify the demobilization process has observed the re-forming of supposedly-demobilized actors into criminal gangs.

The Justice and Peace Law established a National Commission of Reparation and Reconciliation which Canada has supported. Nonetheless, reparations under the Commission only apply to the victims of those paramilitary members who were tried under the Justice and Peace law, a small fraction of the total number of paramilitary being demobilized. The result is that the number of victims eligible for reparations has been reduced to a minimum before the work of the Commission has even begun.

As well, the Justice and Peace law does not offer any real incentives for the return of illegally appropriated land. Without the return of stolen land, it is difficult to see what options are left for displaced people other than further hardship and injustice.

Canada's Role

There is substantial and growing Canadian commercial interest in Colombia. Canadian oil and mining companies are significant players in Colombia, for example, working in some of the most active conflict zones in the country. The Canadian government has actively supported this commercial interest through various government policy instruments. Through its provision of technical and financial support, for example, CIDA was instrumental in the revision of Colombia's mining code that several civil society groups have observed to have weakened existing protections for indigenous communities. Given the interconnections between the war, the drug economy, and human rights abuses, Canadian policy must consider the human rights implications of its trade and investment policies in Colombia.

There are key entry points for progress toward resolving the crisis in Colombia for the Canadian government through leadership in various multilateral fora including the UN, the OAS, and the Group of 24, for example. More importantly, there are alternatives for justice and peace put forward by Colombian civil society organizations to bring an end to the conflict and to ensure the victims of human rights abuses are included in a more legitimate peace process.

At a minimum, Canada must do no harm and ensure Canadian policy and Canadian corporate actors do not exacerbate an already grave crisis. There is a considerable policy and regulatory policy gap in this regard which requires action. Additionally, there is much that Canada can do to mitigate the effects of the conflict, and to play a more proactive positive role in the country, building on some important historic areas of Canadian action in the Americas. The brief outlines several key areas of recommendation which we hope the Canadian government will consider and promote. The victims have waited too long for genuine peace with justice in Colombia.

LIST OF RECOMMENDATIONS

1. Canada's Diplomatic Role

- ⌚ Canada must ensure that Colombia remains a foreign policy priority in the Americas. Canada should employ a human rights framework to inform all Canadian policy towards Colombia, including trade and investment policy, in order to ensure policy coherence with our obligations under international human rights law.

2. Canada's Role as Donor

- ⌚ Canada should support and encourage an independent, strong and diverse human rights community in Colombia.

- ⌚ Foreign Affairs Canada and CIDA should evaluate the effectiveness of the funding provided to the demobilization and OAS Mission by the end of March 2007. The Canadian government should only continue to fund the demobilization process if there are clear verifiable results that demonstrate an effective dismantling of paramilitary structures, credible and integral reparation, and the fulfillment of the rights to truth and justice.
As a part of this, Canada must urge the Colombian government to implement the Constitutional Court's ruling and amendments that would bring the Justice and Peace Law in line with international standards.

3. Canada's Role as Investor and Trading Partner

- ⌚ Canada should lead the way towards rights-based trade and investment policies in the hemisphere by developing a framework for a human rights impact assessment (HRIA) for existing and proposed international trade agreements, including the FTAA, bilateral, and regional agreements.

- ⌚ Canada should commission an independent review involving the effective participation of civil society actors, on the impact of the Colombian mining code reform and Canada's role in its reform, on the environment and on the health and human rights of people, especially indigenous peoples, peasants, and Afro-Colombians. The review should be completed before FAC, International Trade, and the Embassy promote Canadian investment in the Colombian mining industry.

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Monitoring Canadian Mining Overseas

by Paul Kompass (KAIROS)

Many struggling developing nations of the world are very wealthy, although you cannot see it. Their wealth lies in their rich capital of buried natural resources—gold, minerals, coal, oil, and precious stones. While great wealth often lies beneath the surface of their lands, the developing countries lack the financial resources to undertake the costly enterprise of wealth extraction.

Consequently, they are dependent upon imported capital investment by foreign companies to undertake mining and oil exploration and extraction projects. So developing nations often welcome the interest in resource exploration and extraction by mining and oil companies from wealthier developed nations.

In their own countries, those foreign companies are subject to national laws that govern the way a company may go about developing a given resource—an oil field or an ore deposit—in terms of the environmental impact and the social disruption of the existing population. Assurance must be given to the government authority that the necessary policies are in place to protect the rights of the people and the environment. Government inspection and review is a part of this work. But that applies solely to the company's operations in their own land.

In the case of a company undertaking a project in another country, particularly a developing country hungry for foreign investment, there may be inadequate legislation to regulate the way the foreign company operates. The very real danger exists that the company may be given too free a hand by the country's government in developing resources in exchange for lucrative rents, taxes or commissions. The company may operate without having any real obligation to ensure that the health and well-being of the indigenous population is protected and the people benefit from their presence.

Responsible companies do employ and educate local people, offer local health and educational services, and establish policies that protect the surrounding environment.

MiningWatch Canada is a non-governmental agency that seeks to monitor the operations of Canadian resource extraction companies operating in foreign countries. In those far away places, Canadian law at present has no power. To require the company to comply with Canadian laws in a foreign country would be a violation of that foreign country's sovereignty.

Mining Watch, together with KAIROS: Canadian Ecumenical Justice Initiatives, visited one such Canadian-owned operation in the Philippines in the fall of 2004 and heard serious complaints from the local people of alleged violations of their rights by mining companies.

The Canadian government shares the concern of MiningWatch and Kairos and has held hearings to investigate the issue. Diana Bronson of the International Centre for Human Rights and Democratic Development testified to the Parliamentary Subcommittee on Human Rights and International Development with the following statement.

"In the past 10 years of working on issues of globalization and human rights at Rights and Democracy, we have encountered on many occasions complaints from groups in developing countries regarding Canadian mining companies. We have dealt in any depth with only a fraction of those cases. Just to give you an idea of some of the countries from which we've been getting credible complaints of allegations of mining practices that directly impact or have a negative impact on human rights, I can cite Ghana, the Sudan, the Democratic Republic of Congo, Kenya, Tanzania, India, Indonesia, Tibet, Mexico, Guatemala, Peru, Chile, Argentina, and Colombia."

In its report to the government, the committee made several recommendations. The government has not to date made any response to the recommendations (understandably in the light of recent elections). It appears that there is a reluctance on the part of the Canadian government to establish legal restraints upon Canadian companies operating in foreign countries. Instead the committee has chosen to recommend the less forceful but, it believes, more effective practice of instituting incentives and education practices to assist companies to understand and honour their environmental and social responsibilities when operating in other parts of the world.

Because of the lack of clear and effective controls over the operations of foreign companies in developing countries, some economists have suggested that the wealth and benefits extracted by mining and oil exploration may not result in any net benefit to the country and the people involved. This is an on-going debate, but until foreign companies can be called to environmental and social responsibility in their foreign operations, injustices will continue to plague the people immediately affected by the resource extraction industry. We have not heard the last word on this important question.

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Parliamentary Information Session on Colombia, February 27th, 2007, Ottawa, Canada

Presentation by Robin Buyers, Christian Peacemaker Teams-Colombia, on Canadian Investment and Trade Policies

Christian Peacemaker Teams has had a full-time presence in Colombia for the last 6 years, primarily in the central Magdalena valley and in Bogotá, though in more recent years we have regularly sent small investigatory teams to other parts of the country. When CPT first arrived in the oil-refining city of Barrancabermeja in 2001, we met more than 90 families who had been displaced by paramilitary and guerrilla violence from the township of the Ciénaga del Opón, about an hour upriver from the city. These families had crowded into an abandoned school, where they had little support from Colombian authorities. CPT protective accompaniment helped farmers and fishers return to their homes and begin to rebuild their lives.

Since then, we have maintained a regular presence in the area, as well as offering similar accompaniment to other small farmers, fishers, and miners threatened by violence elsewhere in the central Magdalena valley. The presence of our team of Colombian, Canadian, and US citizens provides a visible link between these communities and Colombian and international human rights defenders, including organizations like InterPares and its partner, Project Counselling Services. Armed actors commit fewer human rights abuses when someone is there to document and denounce these abuses, and communities more confidently organize themselves and develop their own political processes and proposals, as David described.

Today, I would like to focus on Canada's role with respect to militarized commerce in Colombia and, in particular, our historical and current role as an investor and trading partner.

I say militarized commerce because Colombia's economy, after more than 40 years of civil conflict, is a war economy. David spoke of the Colombian government's failure to dismantle paramilitary structures under the current demobilization, the formation of new groups, and of their activities. He spoke of the increasing number of links being verified between federal, provincial, and local politicians, the army, and the paramilitaries. The Colombian government that has done so well in convincing the international community that it is presiding over a post-conflict Colombia has just witnessed the resignation of its foreign minister due to allegations of family ties to paramilitaries. Some of you may have met Minister Araujo when she visited Canada this September.

Yet this is the Colombian government with which Canada proposed to negotiate a free trade deal last November. This is a matter of considerable concern to the Americas Policy Group.

Central to the recommendations on which we'd like to engage discussion is the necessity for Canada to be consistent and coherent in considering the human rights implications of its trade and investment policy priorities, given the interconnections between the war, human rights abuses, and paramilitary involvement in both the illegal drug economy and the legal economy.

With respect to how the Canadian government and its ministries and agencies might work from a human rights framework, we are recommending the following:

- Canada should lead the way towards rights-based trade and investment policies in the hemisphere by developing a framework for a human rights impact assessment (HRIA) for existing and proposed international trade agreements, including the FTAA, bilateral, and regional governments.
- The Human Rights Division of Foreign Affairs, in consultation with other departments and civil society organizations, should develop a comprehensive and publicly available human rights screen that refers to Canada's human rights commitments. This screen should be a mandatory part of the policy process to permit any government-sponsored investment abroad (including in Colombia), such as through Export Development Canada.

I would like to turn now to Export Development Canada's historical involvement in commercial activities with significant negative human rights implications.

A little over a year ago, I was in the office of the President of Colombia's National Indigenous Organization, ONIC. On the wall of the office was a map showing all of the Indigenous territories in Colombia. Next to it was a map showing where megaprojects such as hydroelectric dams, mines, and refineries are currently underway or proposed. The encroachment of these projects on constitutionally protected Indigenous territory was striking. David has already spoken of the pattern of displacement in this regard, and to the reverse land reform that has resulted for Indigenous, Afro-Descendent, and peasant farmer communities, with the land too often ending up in the hands of paramilitaries who then seek to profit from its resources. You can see from the photodisplays that our CPT team works directly with Indigenous, Afro-Descendent, and peasant farmer communities as they struggle to stay on their land, rather than displace. The Canadian government has too often had a hand in the development of the megaprojects that cause displacement.

For example, EDC provided \$18 million in funding to the Urra hydroelectric project in the Pacific Northwest. The building of this dam displaced 3,000 Embera Katio people who have been seeking compensation ever since. Their leader, Kimy Pernia, was forcibly disappeared five years ago after returning from a visit to Canada, where he spoke of the impacts of this project on his people. As David mentioned, paramilitary commander Salvatore Mancuso has only recently confirmed that he had Pernia killed, while accusing him of being a guerrilla.

David referred to what happens to people who have suffered displacement, and to his experiences visiting neighborhoods of displaced people in Bucaramanga. Similarly, the negative impacts of the Urra hydroelectric project on the Embera Katio continue today. In visiting the Tierralta region outside Monteria last February, I saw house after house of displaced Embera Katio scattered among the houses of other displaced families. These houses are easy to spot because, traditionally, they have no walls. The houses no longer form part of traditional communities, however, nor are the people able to practice their traditional culture. Community workers told me that, since Pernia's disappearance, Embera Katio communities have been unable to reorganize themselves, and are living in misery and despair.

EDC project funds, this time \$160 million, are also linked to the mass displacement of the Wayuu Indigenous people. Canadian equipment was purchased for installation in the Cerrejon Zona Norte coal mine built on Wayuu territory, and from which Canada continues to import coal to Nova Scotia and New Brunswick. Nova Scotia spent \$78 million on coal from this mine in 2005 alone. An international coalition, including members of the APG, is demanding that the Cerrejon Mine negotiate a collective relocation of the communities it has displaced instead of continuing its practice of dealing with individual landowners, which has decimated local communities.

Canada is a world leader in the extractive industries, and in mining in particular. *Northern Miner* reported in October of 2006 that the number of Canadian mining companies operating in Colombia has doubled in the last year, and is currently growing by 1.4 companies per month. Canadian Embassy Trade Commissioner Fernando Vargas indicated that there are now over 50 Canadian juniors active. Christian Peacemaker Teams began to accompany small mining communities in the south of Bolivar over a year ago. Last November, the Small Miner's Federation and the Commission of Interlocution (a Coalition in the zone supported by the European Union) formally requested that we make the grave situation of abuses of human rights and international humanitarian law in the zone more visible within Colombia and within the international community. It is on the basis of that request that I am speaking to you today.

As you know, many of us in the APG and CCIC have been active in the Roundtables on Corporate Social Responsibility and the Canadian Extractive Sector in Developing Countries. We are currently anticipating the Final Roundtable report and its recommendations, which we fully expect to be released IMMEDIATELY after it is finalized by civil society and industry. We see the immediate release of the report as an essential accountability step in the public Roundtable process. With respect to the recommendations from the process, my experience and that of my CPT teammates in the south of Bolívar this past year have absolutely convinced me of the necessity of mandatory regulations for Canadian corporations operating overseas. Such regulations were just put in place in Great Britain last fall through the *Companies Act*, groundbreaking legislation in this area.

Latin America's largest remaining unexploited gold reserve is in southern Bolívar; 30,000 Colombian's currently make their living from artisanal mining in the zone. Many have turned to gold mining as a legal alternative to coca cultivation, which necessitates involvement with either paramilitary or guerrilla-controlled drug interests. For ex-coca growers, gold offers an equally portable, and high-priced product and, thus, a way out of the war economy. If you believe your trade and investment policies are offering a way to address the roots of the conflict through poverty reduction, don't support trade or investment that would take this option away from Colombian peasants. Attention only to improving Colombia's Gross National Product through free trade agreements won't help these small farmers, fishers, and miners who often live without electricity, potable water, or other services. The money does not "trickle down," but is simply absorbed into the cities by Colombia's ruling elites, which, as we have been emphasizing, include a number of well-placed para-politicians and their dangerous friends.

Since the late 90's, paramilitaries have sought to gain control of southern Bolívar's mining zone. Our team has taken testimony indicating that the massacres and forced displacements caused by paramilitary activity in the late 90's were intended to clear the way for profit from multinational investment. We have recently supported the OAS Mission in verifying mass graves in Pueblito Mejía. During this period, a company registered on the Vancouver Stock Exchange, Conquistador, was active in the zone, and CIDA was funding over \$10 million in research that was used to back-up changes to Colombia's mining code that have favoured foreign investment and Colombian elites over local communities.

Since last June, it has been the army, moving through southern Bolívar with recognized demobilized paramilitaries among their units, which has been committing gross human rights violations. Since August, my teammates have taken eye-witness testimony of

- Summary execution of unarmed and out-of-uniform guerrilla who had already surrendered
- Firing shots in a civilian area. In one incident, a child was wounded.
- Large numbers of soldiers living side by side with civilians, going into their houses and patios to use bathing facilities, ask for food and water, and engage in conversation outside of their professional responsibilities. This is in direct breach of international humanitarian law, particularly Article 14 of the Geneva Convention on Internal Armed Conflict.
- Additional impacts of military presence, including the pregnancies of single girls, the forced recruitment of boys still in school, and requests that civilians inform the army of alleged subversive activities. To be forced to act as informants in a zone where illegal armed groups are present places civilians in grave danger of retaliatory attacks and, thus, of displacement.

On September 18, 2006, the army killed Mining Federation leader, Alejandro Uribe, as he was returning from a meeting alone. The army claims that he was killed in combat, and had dressed him in a guerrilla uniform, a well-documented practice of the Colombian military to justify their attacks on civilian communities. However, the clothes in which Uribe had been seen wearing half an hour before were found in the woods nearby. Two weeks earlier, he had denounced army abuses to the Regional Human Rights Ombudsman.

Soldiers have openly told my teammates that they are preparing the way for Anglo Gold Ashanti subsidiary, Kehdahda, which acquired the rights to resource development in the zone from Conquistador. Anglo Gold Ashanti works in Colombia with Canadian corporation, Bema, recently purchased by Kinross, also Canadian. Bema is a Canadian Pension Plan holding, so all Canadians are implicated in the way in which they seek to do business in countries with a history of violent conflict such as Colombia's. Bema and Kehdahda have recently formed a new exploration company, AVASCA Ventures. Canada's Grosso Group has also been offered concessions in the Sur de Bolívar.

In recent meetings with Bema representatives in Kehdahda's offices, we have been told that the company will pay twice the minimum wage to community members who work with them, rotate work through members of the communities, and fund social programs in health and education. They claim that the Colombian state has a responsibility to provide security for the activities of transnational companies, just as it is the state's

responsibility to guarantee security for all legal activities, and do not recognize the negative impact of the Colombian Armed Forces presence in these communities.

Though Bema and Kehdahda claim to be working closely with community leaders, we note that, in visiting these communities, these relationships are highly selective: the company is working only with those few local leaders and community members who support their aims while negotiating with the federal government to secure titles. We can see parallels with the process of dealing with individuals and thus splitting communities that has occurred in areas such as that around the Cerrejon Mine. Most of the small mines in southern Bolivar are situated on crown land and the small miners have not been granted concessions. Small miners tell us that Article 31 of the 2001 Mining Code stipulates that, in order to obtain mining rights, the applicant must provide documentation that they have the financial resources to operate a mine, carry out and document expensive procedures to demonstrate the richness and size of the deposit, and further show that they have the technology and resources to extract the gold.

In early December, during a meeting between the Colombian government and miners, a representative of the Ministry of Mines and Energy and Ingeominas, the National Institute of Geology and Mines, announced the democratic process by which they were going to once again reform the Mining Code, supposedly to favor the small-scale miners. Participation in this "democratic process" only required entrance to the website of the Ministry of Mines and Energy. Remember that most of the small mining communities do not have electricity, let alone internet access.

The small miners are organized into a Federation and are seeking to protect their interests in the face of the entrance of multinationals such as Bema and the increased military presence that offers protection to multinationals at the expense of local people. Concerns were expressed that the Colombian government and military are facilitating Bema's and other multinationals takeover of the small-scale operations you see pictured in our photo displays, and that either violence or dispossession of their mines and livelihoods will force them to displace. Just this past weekend, my teammates accompanied a Federation meeting in which miners discussed ways in which the small mining communities can prevent their mines from being taken over. The small miners want the area declared a reserve in which mining operations are restricted only to artisanal mining so that the benefits and profits from mining operations stay in the local community.

To prevent further Canadian government and corporate complicity in human rights abuses in the extractive and other sectors, the APG recommends the following:

- Canada should commission an independent review involving the effective participation of civil society actors on the impact of the Colombian mining code reform and Canada's role in the reform, on the environment and on the health and human rights of people, especially indigenous peoples, peasants, and Afro-Colombians. This review should be completed before FAC, International Trade, and the Embassy promote Canadian investment in the Colombian mining industry AT ALL.
- The Canadian government should work with the Colombian government and Canadian companies to ensure the application of the principle of Free, Prior, and Informed Consent (FPIC) with local communities concerning mining and extractive projects in their region, recognizing that Colombia's Constitutional

Court has ruled that international conventions to which Colombia is a signatory, have power of law in Colombia (including Convention 169 of the International Labour Organization). **I want to emphasize again here how difficult it is to establish “Free” consent in a community dominated by the Colombian Armed Forces and where those who speak out have been killed and then accused of being subversives.**

- Canada should establish clear legal norms to ensure that Canadian companies and their directors are held accountable when there is evidence of environmental and/or human rights violations associated with the activities and sourcing of Canadian companies in countries abroad, especially countries in conflict, such as Colombia.

To summarize, the need for a comprehensive human rights framework for Canadian trade and investment with Colombia is pressing. Given the situation many of us here have observed in the countryside, among Colombia’s most vulnerable populations, we cannot afford to wait if we are to effectively influence Canadian corporate behaviour and promote human rights within the framework of Colombia’s international commitments. As David said, we see the strengthening of Colombian civil society, in the context of respect for human rights and international humanitarian law, as crucial to the construction of lasting peace in Colombia. If Canadian policy on Colombia is to support the strengthening of civil society and particularly the communities of those most in need, we must be willing to put people before profits. Only then will there be peace with justice.

Thank you.