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COLOMBIA: INDIANS WIN ROUND AGAINST OIL GIANT

A Bogota Circuit Court on March 31 ordered a halt to US- based Occidental Petroleum's drilling near a reservation of the U'wa Indians. Despite the ruling, protests against exploitation on Indian lands continue, including a hunger strike by Indian congressional representatives.

U'wa Roberto Perez said after the court ruling that the tribe still sees a long battle ahead.

"This fight has not been won," Perez said in Washington, where he had been meeting with members of Congress and activists. "While the court ruled to stop Occidental's drilling, the appeal could easily be against us. That is why we must keep up the pressure and continue fighting."

The U'Wa tribe has waged a national and international campaign since 1995 to stop Occidental from drilling on or near its ancestral lands near Colombia's eastern border with Venezuela (sees [NotiSur, 1999-03-12](#)). The tribe, with between 5,000 and 10,000 members, has threatened mass suicide if the oil companies violate their territory.

To avoid a showdown, last September the government approved a fourfold increase in the reservation to about 220,000 hectares. Late last year, the government granted Occidental a license to develop the Samore block, just outside the expanded reservation. The government hopes the exploration will lead to reserves of as much as 2.5 billion barrels of crude.

In January, Occidental began work on the Gibraltar I well. But U'wa protesters surrounded the site to prevent drilling for oil, which they believe to be the "lifeblood of Mother Earth." In mid-February, the tribe reported that several children were killed and many adults were injured when police used tear gas, riot batons, and bulldozers to force hundreds of U'wa demonstrators off the Gibraltar site.

Court rules in favor of U'wa

The U'wa won a court injunction to block the drilling on March 31, but Occidental and the government plan to appeal.

The court revoked the company's license and recognized the obligation of the government to consult the U'wa regarding any action taken on their land. The judge supported the U'wa claim that Samore is part of their ancestral lands and ruled that drilling on the site would violate fundamental rights of the U'wa people, including their right to life.

Alberto Calderon Zuleta, president of state-owned Ecopetrol oil company, said the Colombian government had notified Occidental of the order to suspend operations.

Calderon, whose company has contracts with Occidental, said the verdict placed a small minority's interests above those of the nation. He said exploitation of the Samore is indispensable to maintain crude production and avoid imports. Some experts say the reserves could prevent Colombia from becoming a net oil importer by 2005.

"This is a process in which if oil is found it could generate nearly US\$900 million a year," said Calderon. "It's a project of enormous importance for the country."

Ruling does not halt protests

On April 4, four Indian lawmakers began a hunger strike outside Colombia's Congress to protest government-backed hydroelectric and oil-drilling projects on indigenous lands.

The four, who ended action April 10, are calling on Occidental to shelve drilling plans in the U'wa region of northeast Colombia and to compensate the Embera-Katio people for damage from the Urra hydroelectric dam on their territory in the northern department of Cordoba.

On April 1 about 1,200 U'wa Indians occupied Cubara in Boyaca. And, on April 5, more than 400 Indians blocked the Panamanian Highway in the southeast, near the border with Ecuador, in solidarity with the fasting legislators.

About 40 members of the Organizacion Nacional Indigena de Colombia (ONIC) joined the hunger strike. More than 80 indigenous communities have declared a "territorial, social, and cultural emergency," because of what they call the government's "extermination policies."

Occidental vice president appeals to Congress

Meanwhile, on March 31, Occidental vice president Lawrence Meriage went to the office of US Rep. Cynthia McKinney (D-GA) to discuss her remarks on the company's Colombian oil project during the debate on the administration's proposed US\$1.6 billion aid package to Colombia, which was approved by the House of Representatives in late March.

When he arrived, Meriage was greeted by Roberto Perez and eight members of the U'wa Defense Working Group, a coalition of environmental and indigenous advocacy groups. They told Meriage they want the company to halt all operations on land the tribe considers its sacred ancestral territory.

"In accordance with our natural laws, which don't permit the exploitation or destruction of nature, we demand that you respect our rights, our culture, and our lives," said Perez.

Last February, Meriage accused nongovernmental organizations that support the U'wa position of "cynically manipulating the Indians."

Atossa Soltani, director of Amazon Watch, who was present at the one-hour meeting, said Meriage admitted that the U'wa had not been consulted on the company's plans to drill the Gibraltar I well. Meriage had previously said publicly that the tribe was consulted.

"Occidental's admission about the lack of consultation gives strong credence to the ongoing legal challenges to Oxy's drilling permit in international and Colombian courts," Soltani told the Inter Press Service news agency.

Consultation with indigenous communities is a legal requirement both under the Colombian Constitution and under international conventions such as Convention 169 of the International Labor Organization (ILO), Soltani said.

The Defense Working Group, which includes US-groups Rainforest Action Network (RAN) and Earthjustice Legal Defense Fund, is calling for a suspension of all Occidental activity pending a negotiated settlement with the U'wa. It is also calling on President Andres Pastrana to withdraw Colombian security forces from the U'wa reserve.

Occidental executive sues activists

Meanwhile, Ray Irani, chairman of Occidental Petroleum, sued activists for harassment and asked a court to grant him damages.

Groups including Rainforest Action Network, Action Resource Center, and Amazon Watch have picketed outside Irani's home to protest Occidental's drilling plans on the U'wa lands. In the lawsuit filed in January in Los Angeles County Superior Court, Irani said the picketing disrupted his family life. He is asking for unspecified damages for "substantial emotional distress and interference with quiet enjoyment of real property rights," according to court papers.

"It is a frivolous action and it's ironic that Ray Irani is trying to stop the protests around his home when he's invading the U'Wa homeland," said Soltani.

[Sources: Inter Press Service, Notimex, 03/30/00; Associated Press, 03/31/00, 04/01/00; El Nuevo Herald (Miami), 04/02/00; Reuters, 03/31/00, 04/04/00; Spanish news service EFE, 04/05/00, 04/10/00]