

# THE PERMANENT PEOPLES' TRIBUNAL OCCIDENTAL PETROLEUM ON TRIAL

The United Steelworkers (USW) joins with Colombian food workers union SINALTRAINAL as well as indigenous peoples, environmental organizations, and trade unions around the world to support the Permanent Peoples' Tribunal (TPP) session on Colombia, taking place in Bogotá from July 21-23, 2008.

The purpose of the TPP is to expose and condemn multinational corporations accused of abuses of human rights and the environment in Colombia. A sentencing at the conclusion of the final hearing will demand profound changes in the policies of these companies to guarantee respect for the lives and human rights of the people of Colombia.

## The TPP accuses Occidental Petroleum and other multinational oil corporations in Colombia of:

- Oil exploration and exploitation policies which result in the forced displacement of local populations.
- Oil exploration and exploitation policies lacking any evaluation of environmental impacts, entailing destruction of forests and other natural spaces. These policies have resulted in serious and increasing contamination of key water sources, such as the Arauca River.
- The creation of areas of "total exclusion," which deny citizens access to large areas surrounding the fields being exploited. These areas are in a virtual state of war which entails hiring regular armed forces, private security companies, and, the TPP alleges, even paramilitary groups.
- Tolerance of, and in some instances collusion and coordination with, armed groups in the persecution of persons or collectives showing any kind of opposition to oil industry activity or the conditions in which these activities are carried out. As the TPP alleges, armed actors receiving support from Occidental, have subjected such persons and collectives to death threats, kidnappings, physical aggression, torture, and even murder, as has been widely documented before this Tribunal.
- And, in particular, the systematic persecution of trade unionists, as is the case of the leaders and rank and file members of the Unión Sindical Obrera, USO, in violation of labor rights recognized internationally and constitutionally.

## The TPP also charges the Colombian government with failure in its legal obligations insofar as:

- The State did not provide the necessary protection to political activists, social organizers, and trade unionists, who have been systematically threatened and abused due to their human rights work.
- The State did not carry out the necessary investigations or impose due punishment for murders and other acts of grave violence perpetrated against persons and groups, even though many of the perpetrators could have easily been identified and in many cases were members of the armed forces.
- In the use of force in the repression of so-called "insurgent groups," the State did not make a distinction between combatant persons and rebel groups and the peaceful civilian population.
- The state has not complied with the obligations required in ILO Convention 169 concerning the rights of indigenous populations, by imposing the exploitation of natural resources within the lands of said communities without their consent.
- It has also failed to comply with its obligation to prosecute crimes against humanity and in particular the violation of the right to effective legal recourse and the rights internationally recognized for the victims of said crimes, due to the absence of a truly independent judicial power.

In conclusion,

Given the aforementioned reasons, appealing to the Algiers Declaration on the Rights of Peoples, considering proven the totality of accusations against each and every one of the enterprises as well as the responsibility of the Colombian State, and with the conviction that the violation of their rights constitutes an attack on the common conscience of humanity and concerns all peoples, the Tribunal resolves:

1. To send the accusations and evidence produced to the final deliberative hearing of the Permanent Peoples' Tribunal, session on Colombia.
2. To disseminate the ruling to labor organizations, indigenous peoples, and urban and rural communities, who have suffered from the impact of the destructive actions of these multinationals, and to organizations in solidarity with the former, as well as to academic and student organizations, the Office of the Prosecutor General, the High Courts, Colombian Control Agencies, Alternative and Mass Media Outlets, the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, the United Nations High Commissioner for Human Rights, the United Nations Special Representative on Human Rights, the International Criminal Court, the Accused Enterprises, their corporate head offices, and the governments of their home states.
3. To express the Tribunal's solidarity and recognition of the pain of the victims.
4. To actively support the struggle for truth, justice, and comprehensive reparation, the reestablishment of the violated rights, and the guarantee that these crimes will not be repeated.

### Also On Trial

The corporations accused by the TPP of human rights violations in Colombia include: Coca Cola, Nestlé, Chiquita Brands, BP, OXI, Repsol, Drummond, Cemex, Holcim, Muriel, Glencore-Xtrata, Anglo American, Bhp Billington, Anglo Gold, Monsanto, Smurfit Kapa – Cartón de Colombia, Multifruits S.A. – Delmonte, Pizano S.A and its subsidiary Maderas del Darién, Urapalma S.A, Dyncorp; Unión Fenosa, Aguas de Barcelona, Canal Isabel II, Endesa, Telefónica and TQ3.

**For more information:**

[www.usw.org](http://www.usw.org)

[www.sinaltrainal.org](http://www.sinaltrainal.org)

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