

Peru and Colombia: Lives of priests on the line for the right to say no to mining

Development and Peace deplores the murder and attempted assassination of two priests opposed to mining projects in Colombia and Peru. The organization is calling on the Canadian government to support increased protection for human rights defenders, and on its members and supporters, as well as priests, nuns and other religious, to show increased solidarity with priests and other human rights defenders in Latin America.

On September 2nd, Colombian Father Jose Reinel Restrepo, an outspoken opponent of a Canadian mine owned by Gran Colombia Gold in Marmato, Caldas, Colombia, was killed by gun shots as he travelled between communities by motorbike, only days after the Canada-Colombia Free Trade Accord (FTA) came into effect.

Two weeks later, on September 16th, the vehicle of Father Marco Arana, well known for supporting the community of Huancabamba in its opposition to the Majaz copper mine in Cajamarca, Peru, was shot at as the priest travelled to an event to commemorate the fourth anniversary of a community referendum in which residents voted against the mine. The attempt on Father Arana's life came less than a month after the Peruvian government adopted a law that sets out that communities have the right to say no to mining projects.

The Catholic Church in Latin America has spoken out unequivocally in support of the right to Free, Prior and Informed Consent of communities affected by mining. The Latin American Bishops' Conference made the following recommendation in June 2011¹: *"Prior consultation must be executed by the State as is required by the ILO 169 convention, article 6.2 and the UN Declaration on the Rights of Indigenous Peoples, article 19."*

Both Colombia and Peru have ratified Convention No. 169 of the International Labour Organization. Canada endorsed the UN Declaration on the Rights of Indigenous Peoples in 2010.

Development and Peace calls on the Colombian and the Peruvian governments, respectively, to carry out thorough investigations into both incidents. In addition to the basic investigation, Development and Peaces urges the Colombian government to investigate the role of mining companies and any possible complicity in the ongoing paramilitary violence against opponents of mining operations.

The Peruvian government is also urged to carry out similar investigations, looking into the role of the Chinese owned company Zijin, as well as that of former UK-owner of the mine, Monterrico Metals, in the

¹ Concluding document, Justice and Solidarity Department of CELAM, International Conference, Extractive Industries, Lima, June 14-16 2011

spread of violence against those who oppose mining. Those responsible for these attacks should be brought to justice, and Father Arana ensured protection.

The murder of Fr. Restrepo was a death foretold. In October 2008, as the Canadian Parliament debated ratification of the Canada-Colombia FTA, Development and Peace wrote to Canadian MPs urging them to vote against the FTA. It pointed to the murders by paramilitaries of three leaders of the Embera Chami people in the department of Caldas. The three leaders had opposed the same open pit gold mine in Marmato as Father Restrepo. They had received threats that they would be killed for their opposition to the mine, as had Father Restrepo. Although the Colombian government was notified of the threats, no measures were put in place to protect the three leaders.

At the time, Development and Peace stated that the murders were an illustration of why Canadian companies should not do business in Colombia while conflict and human rights violations continue. The organization pointed to the recommendations of Professor John Ruggie, UN Special Representative to the Secretary-General on Business and Human Rights, who said that because of the nature of conflict in many war zones, including Colombia, companies incurred a high risk of becoming complicit in war crimes.

Development and Peace deplores that the Government of Canada did not heed our recommendation, nor that of several MPs. Furthermore, the Parliamentary Standing Committee on International Trade equally recommended in May 2008 that the bilateral FTA should not be signed.

The death of Fr Reinel Restrepo is a sobering reminder that lawlessness and human rights abuses still prevail in Colombia, and that continuing conflict means that Canadian companies are still at risk of complicity in human rights abuses as three years ago. Days before his death, Fr Restrepo had travelled to Bogota with community leaders to discuss the Marmato mine project, which will force the relocation of the entire city of Marmato. He had received numerous threats for his opposition to the plan.

Development and Peace calls on the Government of Canada to support increased protection for human rights defenders such as Father Arana and Father Restrepo. Canada should also press both countries to carry out investigations of both incidents, not solely to identify triggermen, but also to review the role of investment in fuelling violence surrounding controversial mining projects. In the context of the Canada-Colombia FTA, whereby both governments have agreed to report yearly on the human rights impact of the Accord, Canada should fully cooperate with the investigation into the murder of Fr. Restrepo should investigations need to be carried out in Canada.

Development and Peace also calls on its members and supporters, particularly priests, nuns and other religious in Canada, to continue to monitor threats against clergy and members of religious orders over mining in Latin America, and for increased solidarity and prayers in support of those who exercise these democratic rights as guaranteed by the UN Declaration on the Rights of Indigenous Peoples.