

**Report of the International Solidarity Mission
Roque Julio Torres Torres
Casanare, Colombia
29 July - 1 August 2007¹**

¹ A draft version of this document was presented at the Oil Hearing of the People's Permanent Tribunal, Colombia Session, held in Bogotá, on 4 August 2007.

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1. Introduction

Between 29 July and 1 August 2007, Colombian and international organisations took part in the International Solidarity Mission Roque Julio Torres Torres, convened by the Social Organisation for Community Assistance and Capacity-Building-COSPACC (Colombia), the Foundation Committee for Solidarity with Political Prisoners (Colombia), Espacio Bristol-Colombia (Britain) and Colombia Solidarity Campaign (Britain), with the backing of the Red de Hermandad y Solidaridad con Colombia.² Members of all of these organisations participated in the Mission, alongside representatives of SolICol (Switzerland), Kolumbienkampagne Berlin (Germany), members of the Red from Austria, France, Ireland, the United States and Spain, and delegates of the following Colombian organizations: Social Organisations of Arauca, the Catatumbo Committee for Social Integration (CISCA), the Oil-workers' Union (USO), the Social Observatory for Transnational Corporations, Mega-projects and Human Rights in Colombia, and the Claretian Organisation Norman Pérez Bello.

The Mission was given the name of Roque Julio Torres Torres in memory of the sixteen-year-old who was tortured and murdered, along with his father, Daniel, by the 16th Brigade of the Colombian army on 16 March 2007 in the hamlet³ of el Triunfo, Casanare. Roque symbolizes the thousands of anonymous campesinos who have been murdered in Colombia and who, because they are not recognised leaders, never receive a mention in the media.

The grave humanitarian crisis in Casanare and its relationship to the oil industry - in particular the transnational corporation BP - were the principal reasons for bringing together Colombian and international social organisations in this Mission. The objectives of the Mission were: to accompany and offer solidarity to the communities, to gain a first hand understanding of the contemporary reality, and to denounce what is going on in the region on the basis of an analysis of typical cases.

The international delegation met with communities in the hamlets of Plan Cumana Las Brisas and el Morro, the municipality of Recetor and the sector of Monterralo, as well as meeting with a family from Sácama. By means of these meetings and through private semi-structured interviews with individual witnesses, we sought to become acquainted with the situation faced by the civilian population in Casanare.

We had planned to include meetings with the civilian and military authorities within the Mission's activities. However, for reasons beyond our control, many of these meetings did not take place and the few which did happen only served to reveal the authorities' lack of interest and inadequate information regarding the problems confronted by the communities.

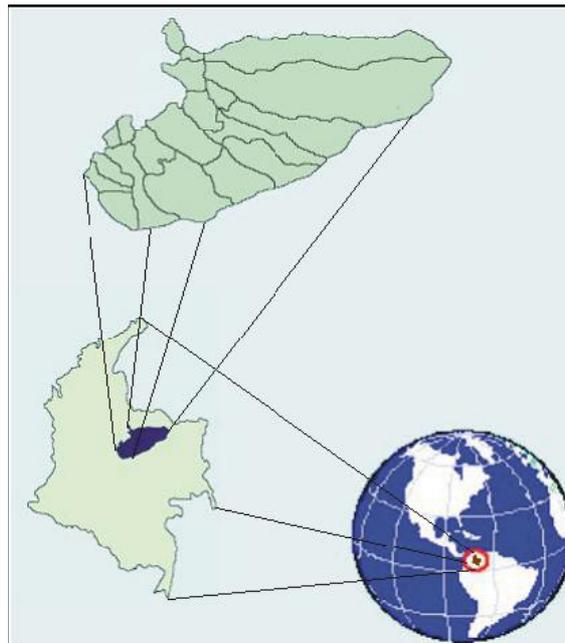
This report summarises the results of our investigation. After an initial section on the historical context of Casanare and BP's role there, we discuss the Mission's main findings, before going on to present our conclusions. We hope that the report will serve as tool for raising awareness about the situation, as well as for denouncing these cases to national and international authorities, and generating mobilization and proposals in solidarity with the communities in Casanare.

² Network of Friendship and Solidarity with Colombia - a network of Colombian and international organisations. See www.redcolombia.org for details.

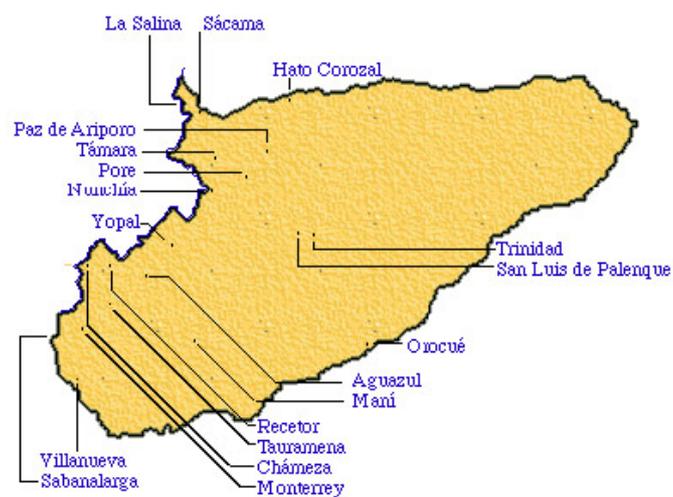
³ Translator's note: the Spanish 'vereda' has been translated as 'hamlet' as the nearest approximation used in England. 'Vereda' in Colombian Spanish refers to a collection of houses near a water source. In Irish English this can be more accurately translated, as 'townland'.

2. Historical context

Casanare is one of the largest departments in Colombia, with an area of 44,490km², which makes up 3.9% of the national territory. The department begins in the western foothills of the Colombian Andes and includes Colombia's western plains.



Map 1. Casanare in Colombia and in the world



Map 2. Municipalities in Casanare

As an important part of the national territory, the history of Casanare has been scarred by two recurrent problems, both of which have had tragic effects.

First, a combination of social injustice and the state's abandonment of the region have generated poverty. Secondly, the contemporary armed conflict and the multiple forms of violence suffered throughout the 20th Century have destroyed much of Casanare's social fabric.

These, as well as other problems in the region, intensified in the early 1990's with the arrival of BP and oil exploration. Seismic exploration, spillages of oil, mud and chemicals, the burning of gas and the use of enormous quantities of water have all contributed to severe environmental damage, such as the drying-out and pollution of rivers. The migration of workers to the region has generated demographic changes that urban infrastructure has been unable to cope with, with the result that a large part of the population lack access to basic services. A further consequence of oil exploration and extraction has been an increase in levels of violence, both as a result of the way in which industrial culture has undermined community values, and because of the presence of armed actors (army, paramilitaries and guerrilla), attracted to the region by the oil industry.

In Colombia, both the official state forces and right-wing paramilitary groups - whose institutional links with the state are well-documented by national and international human rights bodies, academics and, more recently, the Colombian media - act to secure the interests of national and multinational capital.⁴ There are numerous reports which accuse transnational corporations of having contracted paramilitary groups or the army to defend their interests, be it through forced displacement of communities occupying land designated for industrial mega-projects or through the elimination of organised resistance such as trade unions and campesino⁵ organisations.

In 1996, BP was exposed by several British newspapers for complicity in human rights abuses. The company had contracted the 16th Brigade of the Colombian army to protect its installations, through a US\$5.4million voluntary

⁴ See *inter alia*: Amnesty International, *Los paramilitares en Medellín: ¿desmovilización o legalización?* (2005). Online at: <http://web.amnesty.org/library/Index/ESLAMR230192005> [5 September 2005]; Amnesty International, *A Laboratory of War: Repression and Violence in Arauca* (2004). Online at: <http://web.amnesty.org/library/index/ENGAMR230042004> [30 April 2004]; Amnesty International, *Report of Amnesty International on Colombia for the 2004 UN Commission on Human Rights* (2004). Online at: <http://www.cncd.be/fichiers.colombie/AI%20COLOMBIE.doc> [4 March 2004]; Humberto Cárdenas and Álvaro Marín, *La biodiversidad es la cabalgadura de la muerte* (Travesía Ediciones, 2006); Javier Giraldo, 'Caso Trujillo: una biopsia al cáncer de la justicia', in Jon Agirre y Javier Giraldo (eds.), *Colombia: Un pueblo sentenciado a muerte* (Hirugarren: Tercera Prensa, 1998), pp. 195-206; Javier Giraldo, *Colombia: The Genocidal Democracy* (Munroe: Common Courage Press, 1996); Human Rights Watch (2005), *Smoke and Mirrors: Colombia's Demobilization of Paramilitary Groups* (New York: Human Rights Watch, 2005); Human Rights Watch, *A Wrong Turn: The Record of the Colombian Attorney General's Office* (New York: Human Rights Watch, 2002); Human Rights Watch, *The 'Sixth Division': Military-paramilitary ties and U.S. policy in Colombia* (New York: Human Rights Watch, 2001); Human Rights Watch, *Colombia's Killer Networks: The Military-Paramilitary Partnership and the United States* (New York: Human Rights Watch, 1996); L. A. Matta Aldana, *Poder Capitalista y Violencia Política en Colombia: Terrorismo de Estado y Genocidio contra a Unión Patriótica* (Bogotá: Ideas y Soluciones Gráficas, 2002); Gearóid ÓLoingsigh, *La Estrategia Integral de Los Paramilitares en el Magdalena Medio*, 2nd Ed. (Bogotá, 2004); Mauricio Romero, *Paramilitares y Autodefensas: 1982-2003* (Bogotá: Universidad Nacional de Colombia, 2003); Libardo Sarmiento Anzola, *El Magdalena Medio: un modelo piloto de modernización autoritaria en Colombia* (Barrancabermeja: CREDHOS, 1996); United Nations Economic and Social Council, *Report of the High Commissioner for Human Rights on the situation of human rights in Colombia* (2005). Online at: <http://daccessdds.un.org/doc/UNDOC/GEN/G05/115/08/PDF/G0511508.pdf?OpenElement> [20 July 2005]; UN Economic and Social Council, *Report of the High Commissioner for Human Rights on the human rights situation in Colombia* (2002). Online at: <http://daccessdds.un.org/doc/UNDOC/GEN/G02/111/15/PDF/G0211115.pdf?OpenElement> [20 July 2005].

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.

contract with the Ministry of Defence and US\$56million deal to create a special Battalion, in addition to the compulsory 'war tax' of US\$1.25 per barrel levied by the Colombian government.⁶ The 16th Brigade, which was created in 1991 in order to provide security to the oilfields in Casanare, has a long and cruel history of human rights violations, including: extrajudicial executions, disappearances, murders, torture, rape and the forced displacement of campesino communities. BP also admitted having employed the private security company Defence Systems Colombia (a subsidiary of the British company Defence Systems Limited) to give training to the police and army units charged with the protection of BP's installations. This training was described as 'lethal' by one Defence Systems Colombia employee, who confirmed in an interview with the journalist Michael Gillard that it included surveillance and intimidation of campesino leaders.⁷

After these revelations, BP supposedly altered its policies in order to take human rights into account in its business practices.⁸ However, according to reports from human rights organisations present in the region, the current situation remains extremely serious.⁹ Social organizations, such as ACDAINSO (a case documented later in this report), continue to suffer murders and threats against their members. Moreover, extrajudicial executions at the hands of the army are increasing in frequency: during the first seven months of 2007, there were 11 extrajudicial executions in just two municipalities where the oil industry is present: Aguazul and Labranzagrando (Boyacá). Under the current government's policy of 'Democratic Security' - which includes strengthening the armed forces and police, as well as the participation of civilians in the conflict as informants¹⁰ - the army has been given the green light to carry out illegal actions against any member of the community who represents an obstacle to oil exploration and extraction, be it as a result of active resistance or simply for their presence strategic areas for oil companies.¹¹

3. The Mission's findings

The members of the Mission have compiled information on the situation faced by the communities through group meetings and private interviews, in which we collected testimonies regarding more than 30 cases. In these meetings,

⁶ See Michael Gillard, 'BP links with Colombian military intelligence revealed', in *Scotland on Sunday* 9 June 1996, p. 2; Michael Gillard, 'Oilfields of Terror', in *Scotland on Sunday* 9 June 1996, p. 16; Michael Gillard, 'Manos rojas en oro negro', trans. Marcela Sariago, in *Noticias Latin America* July 1996, p. 1, 11; Michael Gillard (1996d), 'BP is linked to army accused of assassinating oil protestors', in *Sunday Express* 7 July 1996, pp. 12-13; David Harrison and Melissa Jones, 'BP accused of funding Colombian death squads', in *The Observer* 20 October 1996, p. 1; David Harrison and Melissa Jones, 'Black gold fuels Colombia killing machine', in *The Observer* 20 October 1996, p. 18; David Harrison, 'Oilmen dread Colombian "kiss"', in *The Observer* 3 November 1996, p. 6.

⁷ Michael Sean Gillard and Melissa Jones, 'BP's secret military advisers', in *The Guardian* 30 June 1997, p. 8; Michael Gillard, *Los Soldados Secretos de la BP en Colombia* (World in Action Documentary, 1998); Corporación Social para la Asesoría y Capacitación Comunitaria - COSPACC, 'La petrolización del piedemonte: 'trampa de pobreza' para el campesino', in the Humanitarian Social Forum, Saravena 3-5 August 2005.

⁸ See *inter alia*, Jenny Pearce, *Más allá de la malla perimetral: el petróleo y el conflicto armado en Casanare, Colombia* (2004), pp. 46-52.

⁹ See *inter alia* COS-PACC, 'La petrolización del piedemonte'.

¹⁰ According to the United Nations, this is in violation of the principle of distinction enshrined in international humanitarian law, because it involves civilians in the conflict, Report of the UN High Commissioner for Human Rights on the human rights situation in Colombia, 60th period of sessions, E/CN.4/2004/13, 17 February 2004, paragraph 31.

¹¹ For an analysis of these policies in the department of Arauca, where the oil companies Occidental Petroleum and Repsol operate, see Amnesty International, *Colombia - a Laboratory of War: Repression and Violence in Arauca* (2004). Online at: <http://web.amnesty.org/library/index/ENGAMR230042004> [2 January 2007].

community leaders told us not only about the economic, social, cultural and ecological impact of oil exploration but also about their own personal experiences. We greatly appreciate the fact that that these people took part in meetings with the Mission, since we are aware that, in some communities, the company attempted to discredit the organizations convening the Mission and advised people not to take part, as a result of which many were absent because of fear of reprisals.

In the following section, we summarise the results of the interviews, from which we have selected several case studies that demonstrate dramatically the severe humanitarian, economic, social and ecological impacts of BP's presence in the region.

3.1 Human rights situation

The Mission expresses deep concern for the dire human rights situation in the region. Not only did we document numerous cases of human rights violations by the army and groups at the margins of the law (especially paramilitaries), but we found that not a single cases collected by the Mission has resulted in truth, in justice or in reparation.

3.1.1. Extrajudicial executions at the hands of the army

We have selected two cases as examples of extrajudicial executions, as we consider these to illustrate clearly the various forms of violence at play in these crimes. Both cases were presented in the Oil Hearing of the People's Permanent Tribunal Colombia Session, between 2 and 4 August 2007 in Bogotá.

The case of ROQUE JULIO TORRES TORRES and DANIEL TORRES ARCINIEGAS

On 29 July, in the hamlet of Plan Brisas, we interviewed ANGELA TORRES VALBUENA, wife of DANIEL TORRES and mother of ROQUE JULIO TORRES.

She told us that the Torres family arrived at the hamlet of el Triunfo in the municipality of Aguazul with their three children after being displaced from Santander seven years ago. Although DANIEL TORRES worked for BP carrying out minor tasks, they knew that the family couldn't survive simply working for the oil industry, so they put all their efforts into buying a farm.

BP operates the Cupiagua oil well in the municipality of Aguazul, as well as carrying out exploration in el Triunfo with security provided by various units of the 16th Brigade.

On 13 August and 12 September 2006 respectively, ROQUE JULIO TORRES was a witness to the extrajudicial executions of two young people, FREDY ALEXANDER CARDENAS and HUGO EDGAR ARAQUE RODRIGUEZ, both murders being committed by the national army. With the support of COSPACC and the Foundation Committee for Solidarity with Political Prisoners, ROQUE JULIO denounced the murders before the relevant state authorities, and it was at this point that he began to receive threats.

His father, DANIEL TORRES, also received threats from the army. On 12 November 2006, fifteen soldiers from the group Guides of Casanare, arrived at the family's farm and tried to detain him. They failed to do so, however, as DANIEL opposed the detention because there was no legal order for detention.

At six o'clock on the morning of 16 March 2007, neighbours in the hamlet of el

Triunfo heard gunfire. The neighbours informed human rights organisations based in Bogotá, telling them that they were worried that DANIEL TORRES ARCINIEGAS and ROQUE JULIO TORRES might have been attacked by the army, given that there had been no combat in the area and both DANIEL and ROQUE were in fear for their lives as a result of stigmatization and finger-pointing by the 16th Brigade.

By the time that the neighbouring campesinos considered it safe to approach the place where had heard the gunfire, they found that the area had been cordoned off by the military, who told them that they would have to wait until 2 o'clock in the afternoon.

At the time stated by the army, ÁNGELA TORRES VALBUENA, the wife of DANIEL mother of ROQUE JULIO, was on her way home and found the road blocked. Whilst she was asking about the whereabouts of her family, a truck passed carrying two dead bodies. The army mocked her and told her that they had killed two guerrillas.

Information received from the community indicates that members of the 16th Brigade extra-judicially executed DANIEL and ROQUE, later presenting them as subversives killed in combat.

ANGELA TORRES has not received any support from the authorities with respect to her petition for a serious forensic study of the bodies. The Personería¹² of Aguazul, who initially received the complaint, handed the case over to the Procuraduría¹³ in Yopal. To date, the family have not had any response, despite the fact that the main perpetrator, both of the threats and of the extrajudicial executions, has been named as Sergeant LAGUNA of the 16th Brigade, who acted alongside a young soldier from the same hamlet.

Since the murders of DANIEL and ROQUE were reported, members of the 16th Brigade have been investigating and intimidating the community in general, with comments such as 'who was the grass who contacted with the NGOs in Bogotá'. As a result the neighbours are now very worried and fear that similar reprisals might be carried out against them.

The case of GUSTAVO, JEFER ARIALDO and FRAY DANILO MORA SANABRIA

On 31 July 2007, we interviewed DULCELINA SANABRIA SANCHEZ about her family. It should be noted that, according to various members of the community, the collective meeting with in the sector of Monterralo before the interview, had been infiltrated by a member of military intelligence dressed in civilian clothing, something which had made people afraid to speak.

On 8 April 2004 (a Maundy Thursday), seventeen-year-old JEFER MORA SANABRIA, was on his way to San José with a thirteen year old boy, when he was forcibly recruited by a paramilitary group under Martín Llanos. The latter took JEFER but left the boy, saying that 'he couldn't lift stones'. After five months he escaped and returned to his family, arriving home on 6 September of the same year. When he got back, his mother recommended that he applied for his identity card, as he had turned 18 on 26 April whilst he was with the paramilitary group. JEFER obtained the card and other identity documents.

¹² The 'Personería' is the local ombudsman's office, the first port of call for reporting complaints.

¹³ The 'Procuraduría' is the state body responsible for carrying out disciplinary investigations of public servants.

A few weeks after JEFER's return, on 30 September 2004, a young man disappeared on his way to buy plantains. At 6 o'clock on the morning of 16 November, members of the Administrative Security Department (DAS)¹⁴ arrived at the MORA SANABRIA family's farm, accusing JEFER and his brother FRAY DANILO of the young man's disappearance and of being members of the guerrilla. The DAS took them away without an arrest warrant and without checking their identities, despite the fact that they had their documentation in order.

During the 15 days that JEFER and FRAY DANILO were in police cells, they were beaten and mistreated. Meanwhile, the DAS established bail conditions of 5 million pesos (approx. £1,250) for each of the detainees. They were accused of rebellion and imprisoned in Yopal and later Acacías (in the department of Meta). They remained in prison for two years, before being freed on 3 November 2006.

Whilst JEFER and FRAY DANILO were in prison, the family home was illegally raided three times by members of the DAS dressed in civilian clothing (they wore dark colours: green and blue). Not only did they not present a search warrant, but they didn't even ask permission to enter and search the house.

Furthermore, in 2005 members of the Gaula¹⁵ of the 16th Brigade detained the rest of the family (DULCELINA SANABRIA SÁNCHEZ, her father, her husband and her daughter-in-law, JENNY) in el Caño, taking the mobile phone of JENNY, FRAY DANILO's wife. DULCELINA and JENNY were detained from 9 o'clock in the morning until 8 in the evening, whilst DULCELINA's father and husband remained captive until 11 o'clock the following morning. During the detention, the men of the family received threats and were mis-treated. However, not only could they not denounce these violations, but they were forced to sign a document stating that they had not received any mis-treatment, be it physical or psychological. This was the condition imposed by the Gaula in order to free DULCELINA's father and husband. Not only the detainees but also DULCELINA's daughter had to sign the declaration.

The most recent violent event suffered by the MORA SANABRIA family has been the extrajudicial executions of JEFER ARIALDO and his brother GUSTAVO at the hands of the Gaula of the 16th Brigade. Between 12 noon and 12.30pm on 30 March 2006, JEFER, GUSTAVO and a friend were on their way to a neighbouring farm to get cheese, when members of the Gaula stopped them, took them down onto the prairie and tied them to a tree. The friend who accompanied them was sent home. As soon as he left, he heard the shots which ended the lives of the brothers. Then a helicopter arrived and took the bodies away.

The family were called to identify the bodies in the morgue, where they were told that the young men had died in combat with the Gaula of the 16th Brigade. At first, the Gaula denied any involvement in their deaths, although later accepted the morgue's version of events. They even showed the family a video of the place where the murders took place, in which the bodies of the brothers had been manipulated: on that day they had been wearing shoes, whilst in the video they appeared wearing Wellington boots. Even in the morgue, the family were not allowed to see the whole bodies. They could just confirm that GUSTAVO had received three bullets in his chest and in the case of JEFER they could only see black marks on his neck. Although the identification was not as exhaustive as they would have wished, the Technical Investigation Body¹⁶ made them sign the

¹⁴ The DAS is responsible for investigations and intelligence work in the context of national security issues and is under the direct command of the President's Office.

¹⁵ Gaulas are military or police units specialising in the prevention of kidnapping.

¹⁶ The forensic body of the Prosecutor's office.

death certificates of the two brothers.

The family denounced these events in the Personería, who took the details and informed them that they would pass them onto the Procuraduría. They have received no news regarding the state of the investigative process since then.

3.1.2 The wiping-out of social organizations

The Mission is worried by the policy of systematic wiping-out of social organizations, which apparently continues today in the region through death threats and assassination of their leaders, as we were able to verify in the case of the Community Organization for the Agro-industrial and Social Development of el Morro (ACDAINSO).

The case of ACDAINSO

On 30 July, members of the Mission interviewed several former leaders of ACDAINSO, as well as relatives of the murder victims OSWALDO VARGAS PINTO y JOSE PARMENIO PARRA.

At the end of 2003, ACDAINSO participated alongside other social organizations from el Morro, in a peaceful strike with the objective of demanding a response from BP for the ecological damage caused by oil exploration, the low rate of employment of local people for skilled jobs, and the company's ongoing failure to comply with agreements with community in the social domain.

After the mobilization, ACDAINSO's directorate began to receive written and telephone threats (for example: 'Stop messing with BP'). These threats were reported to the DAS in Yopal but there has been no response to date.

On Thursday 2 September 2004, the then treasurer of the organization, OSWALDO VARGAS PINTO, was assassinated by two men, on his return from a meeting with BP, at the la Vega Recreational Centre on his property. The men, who wore hats and military haircuts, had ordered beers and played pool, before approaching where OSWALDO was serving customers. They shot him several times, killing him in front of his seven-year-old son.

Representatives of the Gaula arrived at the scene of the murder one and a half hours later but showed little interest in the case. In fact, if those present had not insisted, they would not even have taken the footprints of the murderers. OSWALDO's murder was reported to the Fiscalía¹⁷ in Yopal, but to date there has been no advance with the investigation.

Five days later, at 4.15 on the morning of 7 September, the former leader of ACDAINSO, FASIO HOLGUIN RESTREPO, received an attempt on his life in his own home by men who identified themselves as members of the Gaula. The men had woken the family with knocks on the doors and windows of the house, saying that they had come to carry out a raid. FASIO attempted to make a call from the bathroom whilst his wife spoke to the men who were outside, when the latter saw the light from his phone, fired four times and left believing that they had killed him.

FASIO made a report to the Technical Investigation Body but to date the case remains in impunity. Moreover, FASIO himself was investigated by members of the 16th Brigade, who raided his house without a warrant on 20 August 2005.

¹⁷ The Prosecutor's office - in Colombia this has an investigatory role.

On 10 May 2005, the president-elect of the el Morro Association of Community Action Groups, JOSÉ PARMENIO PARRA, y his friend DÚMAR RODRÍGUEZ were murdered on the road between Yopal and el Morro. An attempt had been made on PARMENIO's life in his own home a fortnight before and over the following days he had taken many precautions, moving from house to house and, according to his sisters, also requesting protection from the army. On 10 May, PARMENIO left home on his motorbike with DUMAR. Ten cartridges found at the scene of the murders revealed that he *sicarios* (hired killers) carried 9mm weapons, which are inaccessible to the civilian population.

This case also remains in impunity, despite the reports made to the Fiscalía and SIJIN.¹⁸

3.1.3 Disappearances and forced displacements in areas of interest for oil companies

We have, through private interviews, learnt of several cases of disappearances and forced displacement. Here we provide a case study comprised of combined testimonies of residents of the municipality of Recetor, where the disappearances and forced displacements were systematic.

The case of the MUNICIPALITY OF RECETOR

Until 2002 guerrilla groups of the FARC and the ELN operated in the municipality of Recetor and there was no permanent presence of the state security forces. Whilst there were some murders during this period, the rate of violent deaths was relatively low. From time to time, the army made incursions into the region, but they didn't stay for more than a few days or weeks.

At the end of 2002, the 16th Brigade arrived in the municipality with the objective of surrounding the guerrilla. This operation was part of the new policy of Democratic Security, which President Uribe presented formally to the country in 2003, and which included an intense militarization of areas controlled by the guerrilla.¹⁹ The policy aimed to retake more than 200 towns which, for more than 12 years, had lacked military and police presence.

In January 2003, a paramilitary group, who later identified themselves as the United Self-Defenders of Casanare, arrived in the hamlet of el Vegón in the municipality of Recetor.

Although the community knew that the paramilitaries were there, they had no direct contact with them until, on 31 January 2003 at around 2 o'clock in the afternoon, they took the teacher from the school in the hamlet hostage.²⁰ Two uniformed paramilitaries detained the teacher on her way home from work and took her away along with her 20 month-old son. She was accused of being a guerrilla collaborator and informant and, as a result, forced to undergo extensive interrogation for several days. After a week, she was freed on the condition that she left the department of Casanare within 48 hours.

At the beginning of February 2003, the paramilitary group summoned various members of the community to a meeting in the hamlet of el Vegón. In this

¹⁸ SIJIN is the judicial section of the police and forms part of the Technical Judicial Police, which carries out scientific investigations.

¹⁹ The policy was presented in the Nacional Development Plan 2002-6, *Hacia un Estado Comunitario* (Bogotá: Departamento Nacional de Planeación, 2003).

²⁰ Complaint presented to the Procuraduría General de la Nación 10 February 2003, under reference number: 20685.

meeting, the paramilitaries told the community to remain in their homes and that they weren't going to do anything to them.

Between February and March 2003, over 60 people from Recetor and the neighbouring municipality of Chámeza were disappeared by this paramilitary group, although, because of threats and intimidation, the Personería is only aware of 30 cases. Although the later discovery of common graves - one near the school in el Vegón and one in the hamlet of Sinagaza - has confirmed 7 murders, relatives of the majority of those disappeared have no information regarding the fate of their family-members.

We are also aware of several cases of hostage-taking and torture, amongst them the case of a four-year-old boy. Furthermore, those who tried to prevent their relatives from being taken away were beaten.

One witness told us that the local doctor, who had treated those people who had been taken hostage and torture, went to complain to the paramilitary group. A few days later, he was disappeared along with the ambulance driver from Recetor. His fate remains unknown.

Shortly after the disappearances, the paramilitaries left, along with Battalion 25 of the 16th Brigade. It is noteworthy that the community feared the army as much as the paramilitaries and that, according to witnesses, the two groups were in contact with one another.

Immediately after Battalion 25 left, another Battalion arrived - no. 44, also of the 16th Brigade.

One member of the community characterized the events as 'cleansing' before the arrival of seismic exploration. The operation entailed the destruction of Recetor's social fabric by eliminating the community's main referents: the teacher, the doctor, several university students, campesino leaders and so on.

A few months after the disappearances, seismic activities and oil exploration began in Recetor. Today there is an oil well in el Vegón run by the Brazilian company Petrobras. There is evidence to suggest that Petrobras are operating in association with BP.

3.2. Ecological damage

Both the quality and quantity of Casanare's abundant water resources have been diminished as a result of the oil industry. Numerous community members told us of cases of pollution of local waterways, such as the Arenosos, Cuisiana and Unete springs, which feed the main sources of fresh water in the area. Moreover, the quantity of water in the rivers and streams has halved as a result of seismic exploration and BP's use of enormous quantities of water for oil extraction.

The communities told us that seismic exploration had also caused other serious consequences in area. Each explosion makes everything within a radius of 50-100m vibrate, causing landslides and affecting the stability of both houses and trees. Trees have also been felled in preparation for the detonations and the resulting deforestation has had devastating effects on the farms, which are often on gradients of 50-60% and so require ample vegetation in order to absorb the rainwater, maintain the consistency of the soil and prevent erosion.

The communities also informed us of irregularities and injustices committed in the

process of negotiation of seismic exploration with local residents. Although BP does tend to discuss plans for exploration with farmers, the latter are unable to negotiate in equal conditions, as the company has the backing of the Ministry of Mines. Moreover, the campesinos say that they cannot refuse to permit seismic exploration nor can they negotiate a fair price in the case of being in agreement that exploration should go ahead. Various campesinos told us that, despite the fact that the company should leave a distance of 100m between detonations, this legal requirement is not always respected and nor are farmers compensated for the damage caused. Various residents have complained informally to the company, but they say that since the explorations have the Ministry's backing it is not worth making a formal complaint.

The inhabitants of various communities told us of other ecological effects of the oil industry in the region, such as air, sound, visual and light pollution caused by the burning of gas at the oil wells. The nocturnal illumination caused by burning gas disturbs animals, who are unable to tell between day and night. Ecosystems in the region also suffer negative effects as a result of the large number of roads required by the oil industry, which have destroyed vegetation and contributed to the problem of deforestation. The interviewees also mentioned the disappearance of some species, especially birds.

As various campesinos recounted, this ecological damage has had dire effects on the productivity and quality of crops. One example of this is the case of banana plantations, which now produce only one harvest, whereas they were previously productive for at least fifty years.

Some campesinos also contextualised their problems within a globalizing political-economic model, responsible amongst other things for acid rain, holes in the ozone layer and the melting of the polar ice caps. According to several members of the population that we interviewed, the effects of climate change have become apparent in the region in the form of increased rainfall in what used to be summer and landslides. As one campesino leader put it, 'God forgives but nature does not ... The earth is a spacecraft and we are the crew. If we don't maintain it, the spacecraft will crash'.

3.3. Economic, social and cultural impact of the oil industry

Though interviews with members of different communities, we were able to see the malcontent of a number of people as a result of the deterioration of their working conditions. These had changed from what were described as dignified conditions 15 years ago with the first oil explorations in Cupiagua, to the precarious labour conditions experienced today amongst the less qualified workers.

Local workers receive contracts of a maximum of 45-60 days. They said that they have to lose 2 or 3 days in order to obtain the papers necessary to start work, as well as being treated very badly in the process. Their salary is 28,000 pesos (about £6.50) a day, from which they have to make the necessary contributions for healthcare and a pension - although the cover for these services ceases when their contracts expires. They don't receive any additional support for costs of accommodation away from home, transport or food. Some workers told us that, as a result, they have to get up at 3 o'clock in the morning in order to arrive on time, and take cold food from home. There is also no bonus for undertaking the dangerous tasks that form part of their work, or for the necessary equipment. 'We can only just afford the cheapest shoes, which give us blisters', one community leader complained.

Several interviews also expressed concerns about the discrimination they suffer in area where the oil company is present. Professional employees, the majority of whom come from other parts of the country, enjoy the best salaries and large meals, whose remains are often thrown away. Meanwhile, 'workers aren't even allowed to have a coffee in the cafés because we smell bad, because we're brutes'. The local people carry out the hardest and worst paid jobs and rarely have the opportunity to improve their situation as the company contracts very little local qualified labour from the area and hardly provides any training to members of the community.

According to witnesses from the communities, there are strong pressures against BP workers exercising their fundamental rights, such as the right to strike and the unionise. Casanare is one of the few departments in Colombia in which the oil-workers' union, USO, doesn't have a single member.²¹ It's important to bear in mind that the region's terrible history of repression against any organisation that campaigns for communities' rights has given rise to fear at the prospect of formal organizing. We have documentary evidence of persecutions, black lists, threats and threats against social leaders.

The Mission has been able to gain a sense of the injustice felt by the inhabitants of Casanare when they see how the huge profits generated by their natural resources have a foreign destination. According to information from the community of el Morro, many local people have to cook with wood only a few metres from where the company burns gas or sends it to other parts of the country. Meanwhile, the company either fails to supply gas to the local population, or else offers it at exorbitant prices. For example, in the sector of Monterralo a 40lb cylinder of gas, which only lasts 15-18 days, costs 35,000 pesos (approx. £8), whereas in Bogotá an entire month's supply of gas costs between 4,000 and 7,000 pesos (approx. 90p - £1.60). The high price of gas prevents people from developing any sort of initiative, however modest this might be. For example, even setting up a bakery is not financially viable in these circumstances. A further example of the way in which local people are excluded from the benefits of the oil industry was recounted by another community, who told us that BP have exclusive access to the only existing road, whilst the population are prevented from using it.

Although the company does make some contributions to the communities, these are minimal. As one leader put it, 'we are of course very grateful to BP for giving us a ball for the children, but we would prefer genuine support for the community'. In many places, the roads remain unpaved and are easily destroyed by torrential rains.

The presence of the oil industry has also generated radical changes in the region's rural culture. Several community leaders shared their worries regarding the consumer culture that has become widespread in the region, particularly amongst young people. One leader told us of the area's history in the 1970's: 'people lived in peace, with a friendly atmosphere and no desire for profit. Crops of yucca and sugar cane, alongside cattle farming, provided the community with enough to live on. Today many young people don't want to continue these activities because they think of rural life as too modest. At the same time, the unemployment generated through the decrease in agriculture and cattle-farming has converted young people into cannon fodder for legal and illegal armed groups, who recruit them easily'. As another leader told us, a large proportion of the younger generations, who have witnessed how legal organisations have gained hardly

²¹ Information provided by USO's delegate to the Mission.

anything, have come to believe that the only way to achieve their aspirations is by force of arms.

4. Conclusion

It was clear in the interviews and meetings carried out by the Mission that, since BP's arrival in Casanare, not only has the human rights situation worsened but the environment and economic, social and cultural situation of the majority of inhabitants have also deteriorated. This final part of the report brings together our more concrete conclusions.

4.1 BP's responsibility

- The high levels of violence in the department have occurred in the context of oil exploration and extraction.
- Historically, BP is guilty of having contracted the 16th Brigade and of having given them a lethal training in counter-insurgency techniques. Although the nature of the Mission did not allow us to confirm the precise relationship between the company and the Brigade today, we are deeply worried by the fact that extrajudicial executions continue to be committed by the 16th Brigade, especially by the large number of cases that have been documented in municipalities where BP is present.
- We are also concerned that the tragic history of wiping out of social organizations who have opposed BP's practices appears to be continuing in the present.
- We denounce the phenomenon of forced displacement in areas of interest to oil companies, which has occurred as a result of human rights violations by paramilitary groups who act with the complicity of the state apparatus.
- We have seen the severe environmental damage that has been caused by BP, such as the pollution and drying up of rivers and streams, the decrease both in the quality and in the quantity of crops, deforestation and the resultant soil erosion, contamination of the air, and light, sound and visual pollution.
- We have borne witness to the great worry existing within the communities with regards the economic, social and cultural effects of the oil industry in the region. Traditional agricultural occupations are being lost and an individualist and consumer culture is setting in amongst the newer generations. Moreover, the labour conditions in the company are characterised by precarious contracts of a maximum of 3 months, with low wages and without the possibility of unionising. Meanwhile, the benefits of the oil industry are not felt by local communities.
- Finally, there is evidence that BP attempted to persuade the communities not to speak to the Mission.

4. 2 The Colombian state's responsibility

- The Mission wishes to highlight the fact that, out of more than 30 cases of human rights violations documented by the Mission, not a single one has resulted in truth, justice or reparation for the victims and their families.
- We are profoundly worried by the current government's policy of so-called 'Democratic Security', which gives carte blanche to the army to carry out illegal actions against the civilian population and present the victims of their extrajudicial executions as guerrillas killed in combat, often involving the manipulation of victims' corpses.
- Contrary to the opinion of a number of analysts, who consider neoliberal globalization to have diminished all aspects of the state's role, we wish to underline that the state has played a key part in the presence and activities of BP. It was the state, through Carlos Gaviria's government, which created the 16th Brigade in order to provide security to the oil installations in the region, and which sold the services of the Brigade in order to protect foreign capital rather than the population, as if the army was simply a private security company. Moreover, the use of the 16th Brigade to protect BP's investments has taken place within the context of policies based on foreign direct investment through the exploitation of natural resources, which has been an important element of successive National Development Plans.

4. 3 Additional observations

- We have been able to witness the fear present amongst the communities in the region as a result of repetitive and systematic abuses carried out by the army against the civilian population.
- Following on from this, we denounce the presence of a member of the army dressed in civilian clothing in the meeting with the community of Monterralo - a flagrant violation of the distinction between combatants and civilians enshrined in International Humanitarian Law.
- The participants in the Mission were deeply moved by the testimonies we heard. Although the nature of this report prevents us from including the details of all the cases documented by the Mission, we will not forget a single one of them.
- We wish to express our extreme concern for the security of the people that we interviewed, as well as for the security of the campesino population in general. We offer our solidarity and accompaniment in the prevention of further abuses and in the search for truth, justice and reparation for the victims and their families.

Finally, we ask ourselves how so much damage can possibly be repaired. Who does this political-economic model benefit when it has caused so much destruction to all aspects of life for the bulk of the civilian population? The inhabitants of the region told us on several occasions that BP had brought far more bad than good. Something is going very wrong when a campesino leader says: 'cursed be the hour that oil was found in this region ... We would be better off without the company. We want BP to leave the region. That is what the communities here want'.