

Chevron in Colombia

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Indigenous Wayuu leader, who refused to give his name for fear of retaliation

CHEVRON BEGAN EXPLORING FOR OIL IN COLOMBIA in the 1920s and began producing oil and natural gas in the 1960s and 1970s. The company sold its oil-producing properties in Colombia in the 1990s, but continues to produce large amounts of natural gas from three fields, one offshore and two onshore. Chevron produced a total average of 714 million cubic feet of gas per day in 2010, making it the largest producer of natural gas in the country.³¹²

Chevron’s two onshore natural gas fields in the La Guajira region of northeast Colombia have been the source of great, ongoing harm to the local peoples of the Wayuu Indigenous nation.

The Wayuu

The Wayuu, the most populous Indigenous nation of both Colombia and Venezuela, have lived in La Guajira Peninsula of northeastern Colombia and in northwestern Venezuela for centuries. Numbering some 500,000, they were never conquered by the Spanish. Only after independence from Spain in 1823 did outsiders even start penetrating their region. Their society is based on matrilineal clans. Traditionally sustained by hunting, weaving, fishing, horticulture, pastoralism (goats) and the gathering of salt, their lives have been severely disrupted by fossil fuel production in their region.

“The projects happening in Wayuu territory cause displacement, pollution and unfair negotiations by which the people have lost their land and culture,” writes Debora Barros Fince, director of the Organizacion Wayuu Munsurat, “Mujeres Tejiendo Paz.” A lawyer with a diploma in Civil Procedural Law and an emphasis on human rights and international humanitarian law, Fince is a Wayuu leader and human rights defender.

Natural Gas Production and Pipeline

In 2006, Chevron and Ecopetrol partnered with Venezuela’s state-owned-oil company, Petr leos de Venezuela (PDVSA), to build a 225-kilometer underground pipeline to carry natural gas through the heart of the Wayuu territory from La Guajira to the northwest of Venezuela.

Such enormous infrastructural changes have had a devastating impact on the Wayuu. In January 2007, 62 affected Wayuu communities in the municipalities of Manaure and Maicao initiated protests that paralyzed pipeline construction. Reconciliation attempts by PDVSA (which manages the pipeline) failed and in May and July of 2007, about 3,000 Wayuu in Colombia protested the pipeline. Although PDVSA is the local entity that manages the pipeline, “the multinationals themselves are charged with assessing the project’s impacts,

an arrangement that allows them to claim they comply with all environmental standards,” Barros explains.

“In reality, they are creating an environmental catastrophe in Colombia’s richest region ... The majority of the projects (in the region) are in Wayuu territory, and they cause displacement, pollution, and unfair negotiations by which the people have lost their land and culture,” Barros says.

Barros adds, “Our communities feel they have been tricked, made fools of, because these companies came in here buying off and dividing our leaders with minor favors and gifts, and were able to manipulate community support for the project.”

Struggle for the Indigenous Wayuu Territory

Near Maicao, a Colombian municipality along the border with Venezuela known as an important center of commerce, lie the tranquil Mapayo beaches, which have been part of the Wayuu territory for millennia and are of special interest today for both natural gas exploration and hotel mega-projects.

One of the pillars of the “Democratic Security” policy, defended over the past eight years by former president  lvaro Uribe V lez, was the creation of security conditions for foreign investment returns as a mechanism for development in the country.³¹³ However, these same security conditions, which have provided guarantees for businesses exploiting natural resources, do not protect some of the country’s poorest communities. This is the case of Mayapo, where traditional fishermen are battling Chevron and private interests that seek to strip them of their lands.

On October 12, 2010, Indigenous Wayuu carried out a march to the La Guajira Departmental Assembly, protesting displacement from their lands and the persecution of some of their leaders. Given the opportunity, one of the fishermen said to local journalist Francisco De La Hoz Sarmiento, “I will talk with the media, but the first thing we want is that you do not persecute us for defending our rights.” When asked the reason for his fear, he responded, “They have already killed many of our leaders and we don’t want this bloodshed to continue. What we demand is that they respect our territory, that they recognize that this is ours and that there lie our dead and as long as they remain there, we will not abandon them. We have already overcome all adversity, including that which nature itself presents us.”³¹⁴ The official explanation for the displacement of Indigenous peoples is the Colombian government’s decision to reclaim the beaches as a national landmark for the use of all Colombians. Yet according to the Indigenous community, the displacement is motivated in reality by business interests in constructing five-star hotels in the region.

The exploitation of natural gas in the Mayapo zone began

in the 1990s with the installation of a Chevron-Texaco gas extraction platform. Since then, there has been an ongoing dispute between the company and the traditional fishermen over the use of the territory; the Indigenous peoples must remain outside a 500-meter radius from the platform for the security of the company. According to the company, this is only a small piece of territory and the Indigenous community can go other places to fish. Yet for the Indigenous community, “this space is lived in by them, regularly incorporated into their practices, and was set aside based on their knowledge and meanings.”³¹⁵ This is a political and cultural conflict, in which the Indigenous community is being forced to concede, leave and renounce what has historically been theirs.

One emblematic case is the territorial dispute that occurred when Chevron came into conflict with the Wayuu “Epinayu” clan, who were located near the “Ballenas” (Whales) extraction station. According to Indigenous community members interviewed by the authors, this situation generated conflict among Wayuu individuals and families, and has exacerbated tensions between family clans. The family clans are grappling with the disparities in the benefits attained by

Indigenous community members who are recruited to work for contractors in the gas operations, and the fact that some of the land being used for the gas operations has been set aside for the collective use of Indigenous communities, according to the Colombian Constitution.³¹⁶ The presence of illegal armed groups in the region and the killings of Indigenous leaders in recent years is another worrying situation for the Wayuu.³¹⁷

One Indigenous leader, who refused to give his name for fear of retaliation, said “Before, Chevron encouraged the participation of community leaders because they are the voices of the fishermen. In Mayapo there are still traditional authorities, but there are more than 1,000 inhabitants with different needs.” As such, it is important for Chevron to undertake democratic consultations in order to avoid creating conflicts within communities. According to this same leader, “Now they don’t consider the voice of the local leaders. In fact, many of our leaders have gained greater understanding of the situation, and this is seen as a risk to the company.” This situation has broken communities and introduced the concept of individualism, which is not a part of traditional thought.

At the end of 2010, a “prior consultation” was conducted between Chevron and the fishermen, as stipulated in the Colombian Constitution and in Agreement 169 of the International Labour Organization, regarding Indigenous groups.³¹⁸ The prior consultation is a mechanism to guarantee the free

and informed participation of ethnic groups in the decisions that affect them, including the participation of their traditional leaders and authorities. However, after more than five meetings, according to some of the Indigenous community members interviewed, they are not clear on the compromises obtained by the company, and they have signaled that one of their leaders not only works for one of companies contracted by Chevron, but that he also granted an NGO permission to design and implement “social investment” resources resulting from natural gas extraction.

Some fishermen acknowledge that they have had a positive relationship with the company thanks to the capacity building they have received from NGOs sponsored by Chevron on topics such as risk prevention and sustainable fishing. For other Indigenous peoples, Chevron’s impact has been negative because not everyone has equal access to the company’s benefits, contributing to

tensions and differences

between the Indigenous peoples.

This situation in the La Guajira region of Colombia demonstrates the capacity of a multinational corporation like Chevron to generate undesirable impacts in the cultural dynamics of Indigenous groups and to negatively impact their capacity to make decisions and reach consensus.

Other Indigenous and Afro Colombian communities in regions such as Cauca and Curvaradó (Chocó) have complained that their associations and traditional leadership have been infiltrated by large business interests that use bribes and benefits for some leaders to manipulate the interests of these communities in order to benefit big businesses, multinational corporations and criminal groups.³¹⁹

The Wayuu’s concerns are that: 1) Chevron continues to divide the community and to offer benefits to some of its leaders without them actually considering the social and cultural impacts that these actions have on Wayuu autonomy; 2) the presence of NGOs and foundations sponsored almost exclusively by Chevron and their social and environmental activities in the region have the stated objective of mitigating the negative environmental and social effects generated by the extraction of natural resources, however the Wayuu are concerned that these particular NGOs may serve instead to distract from the pressing issues at hand; and 3) the Colombian government has been weak in protecting the rights of Indigenous people before multinational interests, despite the recommendations by the Supreme Court and international treaties to take measures to protect Indigenous groups.³²⁰

