

RE: US-COLOMBIA "FREE TRADE" AGREEMENT

April 18, 2007

Dear Member of Congress,

We are writing to you to call attention to the attached letter from the National Indigenous Organization of Colombia (ONIC) about the proposed U.S.-Colombia "free trade" agreement (FTA). The ONIC represents the interests of 84 distinct Indigenous Peoples within Colombia and for the past 25 years has worked for the successful defense of Indigenous communities' rights to life, territory, and culture.

As the letter details, Indigenous Peoples have first-hand experience of the ongoing violent conflict in Colombia. Because of this experience, we believe that the ONIC's explanation of the potential negative impacts of the trade agreement merits our close consideration.

In particular, we hope to draw your attention to the ONIC's concerns that trade-related infrastructure projects "bring with them violence by the armed actors, making ever more critical the situation of forced displacement, confinement, torture, illegal detentions, threats, forced disappearances, homicides, and bombardments..."

The letter also expresses concern that the legal reforms initiated to facilitate the implementation of the trade agreement would undermine the collective and fundamental rights accorded to Indigenous Peoples in Colombia's 1991 constitution. As the letter states, the purpose of these reforms is to facilitate increased oil production, African palm plantations, and other mega-projects that both exacerbate the violent conflict and damage the Amazon rainforest on which the entire world depends.

We urge you to carefully review this letter as you evaluate your position regarding the U.S.-Colombia FTA and to also consider the free, prior informed consent of the Indigenous Peoples in the said process. The ONIC can be contacted directly at onic@onic.org.co. If you would like to communicate with any of the organizations on the letter, please do not hesitate to contact the ONIC's partner organization in Washington, the Amazon Alliance, at (202) 785-3334 or onic@amazonallinace.org.

Sincerely,

The Amazon Alliance for Indigenous and Traditional Peoples of the Amazon Basin
American Friends Service Committee
Americans for Indian Opportunity
Asociación de Pueblos Indígenas de América – Guatemala
Colombia Human Rights Committee
Coordinadora Nacional de Viudas de Guatemala, CONAVIGUA
Confederación Nacional de los Pueblos Autóctonos de Honduras, CONPAH
Coordinadora Unitaria de los Pueblos Indígenas de Honduras, CUIH
First Peoples Worldwide
Frente Independiente de Pueblos Indios, FIPI, Chiapas, México
Fundación Amazonía EWARE – Colombia
Indigenous Environmental Network
International Indian Treaty Council
Movimiento de Jóvenes Mayas, MOJOMAYAS
Osservatorio Informativo Indipendente – Sulla Regione Andina e il Latinoamérica, Milano
Pan-Tribal Confederacy of Indigenous Tribal Nations
Red Indígena de Derechos Territoriales y Biodiversidad
Tonatierra
Voices in Solidarity
Washington Office on Latin America, WOLA
Witness for Peace



ORGANIZACIÓN NACIONAL INDÍGENA DE COLOMBIA

ONIC

NIT.860.521.808-1

TO THE CONGRESS OF THE UNITED STATES OF AMERICA

Dear Congress:

We, the indigenous peoples of Colombia, respect life in all its forms, and we yearn to build peace in Colombia. We are the ancestral guardians of the natural and genetic resources and the biodiversity in our territories. We are the bearers of traditional knowledge and practices regarding the relationship with nature, in the context of our own diverse systems of government, land-use management, and social relations. Indeed, our status as such has been recognized in the form of fundamental rights set forth in the 1991 Colombian Constitution.

It is, therefore, with great desperation that we see that despite the legal framework that recognizes our rights in Colombia, we are currently experiencing, first hand, the violence and death that afflicts our country, due to a war that has nothing to do with our cultures and that has taken the lives of many of our traditional authorities, as a result of the dispute involving paramilitaries, guerrillas, and government forces.

The Free Trade Agreement (FTA) between the governments of Colombia and the United States is a threat to our physical and cultural existence, as it allows for the individualization and commercialization of our rights. Moreover, it lays the foundation for the expropriation of our territories both through the acts of the armed actors and economic players, and by legal channels, through constitutional and statutory reforms adverse to our rights and existence as indigenous peoples.

The FTA will make it possible to privatize and convert into capital assets the knowledge and wisdom of the properties of plants and animals that have been preserved and handed down through the generations by the indigenous peoples. Collective knowledge, such as that of the indigenous peoples, could be claimed by individuals, who could patent it as their own intellectual property. There is clearly NO way to improve the FTA; whatever form it takes, it is, for us, a death sentence.

We have repeatedly asked the Colombian government not to sign this agreement, as it will endanger the very survival of the indigenous peoples of Colombia and everything we have struggled for, for centuries, for the benefit of humankind.

The Colombian government's replies to our requests have been absolute repudiation and misinformation directed to Colombian and international public opinion. In different forums the government presents information regarding the supposed participation of and consultation with indigenous peoples, which is not true. While we as indigenous peoples have participated in meetings where the FTA has been discussed, we have always made clear our rejection of the Agreement. Among the reasons for this rejection is that the infrastructure projects being furthered by the Colombian government with the help of international cooperation agencies, to prepare the country for the entry into force of the FTA, bring with them violence by the armed actors, making ever more critical the situation of forced displacement, confinement, torture, illegal detentions, threats, forced disappearances, homicides, and bombardments, causing loss of identity, food insecurity, chronic malnutrition in our communities, and the weakening of organizational processes based on forging citizenship by democratic means.

In addition, the legal reforms being furthered in order to create "legal certainty" for Colombian and foreign private-sector interests would undo indigenous peoples' rights and add to the panorama of poverty, death and destruction of our people.



ORGANIZACIÓN NACIONAL INDÍGENA DE COLOMBIA

ONIC

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We, the indigenous people of Colombia, oppose the Free Trade Agreement because it entails the following consequences for us:

1. Creating a market for our lands, subjecting our peoples to supranational legislation, private tribunals, financial interests, transnational companies, more large-scale economic projects and foreign investments in our territories.
2. The violation of economic, social and cultural rights, as well as collective and environmental rights, including the fundamental rights of indigenous peoples and Colombian society as a whole. Under the guise of supposedly protecting these rights, the government is seeking legislative changes, beginning with the adoption of the Forest Law, the introduction of the Rural Statute, and the reform of environmental legislation currently being promoted by the United States Embassy in Bogotá.
3. More oil exploration and exploitation, African palm plantations like those in the biogeographic Chocó and Meta, the wind park in Guajira, and the Urrá I hydroelectric dam, among others, implemented without prior consultation with our peoples, authorities and leaders, and which form part of the so-called domestic competitiveness agenda, which is sentencing the indigenous peoples to death.

The challenges that humankind faces today in the search for a dignified life for all, poverty reduction, and the right to healthy air and water for everyone require efforts such as those undertaken by the indigenous peoples throughout human history. It needs people like you, who are in decision-making positions, to look far beyond the mere artifice of material wealth and trade, and that you give the mother earth a chance so that she can continue sustaining humankind, of which we are all a part. It is our responsibility to continue struggling for life itself. And today we seek your important support. We ask that you make your best efforts so that the FTA, which is really a Free Investment Agreement, NOT be approved, and that we have an opportunity to think through a different scenario, one in which the dignity of all is possible.

EXECUTIVE COMMITTEE NATIONAL INDIGENOUS ORGANIZATION OF COLOMBIA

Bogotá D.C., March 6, 2007