



RESGUARDO INDÍGENA SIONA BUENAVISTA

RESOLUCIÓN N° 045 DE 21 DE JULIO DE 1983

NIT. 846.003.268-1



JOINT PUBLIC STATEMENT

The Buenavista Reservation of the Siona People and civil society human rights organizations celebrate the cancellation of the "Strategic Alliance" between UNDP-Colombia and GeoPark oil company.

17 May 2021

On April 26, the Buenavista Reservation of the Siona People and the Association for Holistic Sustainable Development, *Perla Amazónica*, ADISPA, publicly denounced the launching of a "Strategic Alliance" between the United Nations Development Program (UNDP) and the oil company GeoPark, denouncing that the UNDP did not hold consultations with the campesino and indigenous communities and organizations impacted by the extractive activity carried out by this oil company, and that the UNDP did not take into account the processes of territorial defense and resistance against extractive industries that both community organizations have been enduring for years in the municipality of Puerto Asís, Putumayo, Colombia.

Responding to this complaint, Jessica Faieta, the Resident Representative of the United Nations System in Colombia wrote on April 28 and proposed a meeting with the organizations to detail the UNDP's interest in developing the project of territorial economic reactivation in partnership with private actors - such as the oil company GeoPark - in the context of the Covid-19 pandemic. In her letter, she further stated that *"In accordance with the principles that characterize UNDP actions, such as impartiality, transparency, and building trust, we have decided to suspend the activities of this project in the municipality of Puerto Asís to learn more about your concerns and to share with you the scope of UNDP's actions envisioned for the territory."*

The meeting was held virtually on April 29, with the participation of the leaders of the Buenavista Reservation and ADISPA and the accompaniment of the civil society organizations jointly subscribing to this release. The UNDP's principal interlocutor, Jessica Faieta, tried to justify, in a regrettable way, the actions carried out to attract resources from private companies, in a clear omission of the minimum criteria for corporate ethics and due diligence.

Under the Sustainable Development agenda, UNDP signed an alliance with GeoPark that favored its corporate image and made it easier for the company to whitewash its responsibility for the historical violation of human, collective, environmental, and territorial rights in the precarious contexts in Colombia. The Chilean oil company GeoPark made a



RESGUARDO INDÍGENA SIONA BUENAVISTA

RESOLUCIÓN N° 045 DE 21 DE JULIO DE 1983

NIT. 846.003.268-1



contribution of US\$1.7M¹ to UNDP, the amount being the criterion that prevailed contrary to international standards and guiding principles for Business and Human Rights² and the Escazú Agreement, which define the minimum standards for the verification of compliance with the law and respect of human rights by Transnational Companies, with special emphasis on the problems and impacts on communities exposed to greater risks, vulnerabilities, and marginalization due to the specific context of victimization of the internal armed conflict.

We found it unfortunate that Jessica Faieta's interventions attempted to justify the unjustifiable. She mentioned that the role of the United Nations was to “*guarantee, promote, and facilitate*” human rights compliance by companies that are already established in the region and to ensure that they, in turn, return “*development*” to the territories that is “*sustainable*” for the communities, using as an example alliances in other parts of the country with companies that have had great questions raised about massive human rights violations that have occurred in their zones of influence in the development of mining and energy projects, questions troubling enough that they are even being studied as a case before the Special Jurisdiction for Peace.³

Another controversial point during the meeting was the allusion made by the UNDP representative of her role in guaranteeing the right to prior consultation, which she asserted she could “ensure.” On the one hand, the System of Nations United cannot supplant State functions to try to impose corporate visions favorable to extractive interests in the region at the cost of the struggle and survival of an ancient and ancestral people. The Buenavista Reservation of the Siona People has had to endure the systematic and bad faith infringements of their right to prior consultation by the oil company (today “Nueva Amerisur,” a subsidiary of GeoPark.) Buenavista has publicly reiterated their firm position that they have formalized their lack of agreement with the oil company since 2015, and which clearly expresses their lack of consent for any kind of prospecting, exploration, and exploitation activities for crude oil within its ancestral territory, a position also protected by precautionary decisions of the Court of Land Restitution of Mocoa. On the other hand, several human rights organizations, including Global Witness, have documented the

¹ See: <https://open.undp.org/projects/00132303>

² Resolution 17/4, of 16 June 2011, Human Rights Council of the United Nations.

³ See: “La JEP establece que 2.094 personas fueron víctimas de desaparición forzada en el área de influencia de Hidroituango”, Comunicado 173 of 2020, Bogotá, 9 December 2020.

Accessed at: <https://www.jep.gov.co/Sala-de-Prensa/Paginas/La-JEP-establece-que-2.094-personas-fueron-v%C3%A1ctimas-de-desaparici%C3%B3n-forzada-en-el-%C3%A1rea-de-influencia-de-Hidroituango.aspx>



RESGUARDO INDÍGENA SIONA BUENAVISTA

RESOLUCIÓN N° 045 DE 21 DE JULIO DE 1983

NIT. 846.003.268-1



multiple murders of territorial and environmental rights defenders, placing Colombia as the country where the most such cases are presented and documented.⁴

This integration philosophy promoted by UNDP, through which it seeks to bring together multinational companies that, like GeoPark, do not assume their responsibilities for repairing, remediating, and financing socio-environmental conflicts; with communities in resistance such as the Buenavista Reservation, is disrespectful of the struggle and good faith with which the indigenous community received the "Sustainable Amazon" program, and is incompatible with the program's stated purposes. One cannot fail to consider that in the Auto 004 of 2009, the Constitutional Court of Colombia identified the extractive sector and its imposition of oil projects by force in the territories to be an underlying factor in the internal armed conflict. The Court also identified the Siona People to be among 34 indigenous peoples at "high risk of cultural or physical extermination." This is underscored by the statements of irregular armed actors who have publicly supported the same oil development in the municipality of Puerto Asís.

Through a brief statement that has not yet been made public or signed by the Representative, but that came to us from UNDP's email to the Buenavista Reservation, on 12 May 2021 UNDP reported that it had decided to CANCEL the alliance with the GeoPark oil company, ratifying the commitment "with the indigenous peoples and sustainable development in Colombia."

We reiterate: it is not enough for UNDP to cancel their activities with the oil company. The trust, the legitimacy, and the respect that the civil society organizations had placed in the United Nations System and particularly in the UNDP was deeply fractured. We see it as a clear sign of bad faith that, despite the fact that the leaders of the Buenavista Reservation had been emphatic both in their written statement and in the oral interventions made in the April 29 meeting that they were not going to continue with the execution of the GRANT until UNDP publicly defined its position regarding the Agreements with Geopark, UNDP disbursed two days later resources for \$52,000,000.00 COP to the account of the Tribal Government (*Cabildo*.) pressing to give continuity and execution of activities that include access to privileged information of the territory whose content we no longer trust would not end up in the hands of the company.

We insist that it is INCOHERENT of UNDP to both seek effective environmental and territorial protection of the Amazon and at the same time reach agreements with the company that has most threatened this fragile ecosystem and that has tried to fragment the organization of communities, to the extent of legally opposing the process of restitution of territorial rights. These are not isolated cases but instead have grave

⁴ <https://www.globalwitness.org/en/campaigns/environmental-activists/defending-tomorrow/>



RESGUARDO INDÍGENA SIONA BUENAVISTA

RESOLUCIÓN N° 045 DE 21 DE JULIO DE 1983

NIT. 846.003.268-1



international antecedents such as the pressure on communities and territories of the Wampís and Achuar indigenous peoples in Peru, whose legal actions and resistance led to the discontinuance and withdrawal of the oil company in July 2020 in that country.⁵ The UNDP must have as PUBLIC a response as the one deployed when the Alliance was launched.

We demand that UNDP speak out publicly on any final decisions it adopts; that GeoPark remove from its website the endorsement, logo, and alliance with the United Nations System in Colombia; and that Jessica Faieta in her capacity as Resident Representative of the United Nations System in Colombia publicly apologize to the Buenavista Reservation for having ignored their struggle to defend life, territory, and dignity, giving preference to interests that pollute the territories, destroy the Amazon, and put at risk the life of the communities.

RESGUARDO BUENAVISTA PUEBLO SIONA

gobernadorbuenavista@gmail.com

AMAZON FRONTLINES

Legal@amazonfrontlines.org

AMAZON WATCH

andrew@amazonwatch.org

HEALING BRIDGES

healingbridgesdc@gmail.com

⁵ <https://earthrights.org/media/empresa-petrolera-geopark-desistio-de-operar-en-territorios-indigenas-wampis-y-achuar/>