Virtual Side Event
To mark the 6th Session of the open-ended intergovernmental working group on transnational corporations and other business practices with respect to human rights (OEIGWG)

“Digging Deeper: Mining in Colombia and the urgent need for a UN Treaty”

Wednesday 28th October 2020, 2pm-3pm CEST (1pm-2pm UK/IRE; 8am-9am Colombia)
Zoom link (See below).

Background
The theme of this event is the ongoing struggle to hold transnational corporations and other business enterprises to account for human rights abuses, environmental harm and corporate misconduct they cause, contribute to or are directly linked to in the global south.

Land and environmental defenders are currently the first lines of defence in the protection of ecosystems and global common goods that are the basis for life on Earth. As the UN Special Rapporteurs on human rights have reported, corporations have often been complicit or directly involved in grave violations against the environment and abuses against those who seek to defend it. Human rights defenders working on business-related abuses and environmental issues relating to extractive industries, agribusiness, infrastructure, hydroelectric dams and logging often face extreme risks and brutal consequences, such as killings, attacks, sexual violence, smear campaigns, criminalisation, judicial harassment and repression.

The Carbones del Cerrejón Ltd. mine, operating in La Guajira Colombia for decades, is one of the world’s largest open-pit mines. It is jointly owned by subsidiaries of multinational mining companies BHP, Anglo American and Glencore. More than ten court rulings and resolutions from Colombian courts, the Environmental Ministry and other authorities have highlighted the negative impacts of the operation to indigenous and Afro-Colombian communities’ right to health, water, to a healthy environment, to participation, to food security, and to live in decent conditions. However, to date, there has been the inadequate implementation of these court resolutions by Colombian authorities and human rights groups have complained of a lack of full compliance by the company with these rulings and agreements with communities affected or forcefully re-settled. UN human rights experts recently called for a halt to mining close to affected communities in Provinicial. The pandemic has also highlighted how, in this semi-arid region, lack of water, exacerbated by mining operations and the climate emergency, is an important challenge. Human rights and environmental defenders in La Guajira denouncing human rights violations or environmental damages or taking public or legal actions have faced great risk and violence, including serious threats, intimidations and attacks.

The Cerrejón case illustrates the struggle of communities to defend their human, environmental and spiritual rights and lack of effective redress and justice. It shows the insufficiency of voluntary

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1 The Colombian high courts have issued rulings such as T-614/19, SU 698/17, T 704/16, T -256/15, SU - 658/15, among others, which indicate that there is a violation of the rights of the communities, and damage to the environment, water and health by the extraction activity of the company, the Ministries of Environment, Mines and Energy, the National Environmental Licensing Authority ANLA, Coporguajira, among other state entities are responsible for omission or action.
mechanisms and the huge importance of binding corporate regulation of transnational corporations to stop to corporate-related abuses, and ensure access to justice and international legal redress.

Speakers at this event will make the case for all member states to contribute to a strong UN treaty that will plug the accountability gap, enable access to justice for affected communities, greater protection of environmental and human rights defenders and an end to corporate impunity. Building on calls made by communities and faith leaders globally⁴, and the recent commitment by the European Union to a legislative initiative on due diligence throughout the supply chain on human rights and environmental impacts, there is growing momentum and need for a global human rights-based economy/regime for all companies worldwide, and for states to constructively engage, in progressing towards an international legally binding instrument.

**Objectives:**
This virtual side event is organized during the 6th Session of the open-ended intergovernmental working group on transnational corporations and other business practices with respect to human rights (OEIGWG). At the event, we will hear testimony from indigenous communities affected by the Cerrejón Ltd mining operations in Colombia and civil society organisations on the impact of business activities and how a legally binding instrument could regulate and mitigate the negative impacts on their rights and the environment. The aim of this side event is threefold:

- to give international visibility to the serious human rights violations in La Guajira given ongoing corporate socio-environmental impunity, and failure to comply fully with national rulings, generating pressure for concrete actions for protection, reparation and justice;
- to make the case for urgent progression on UN Treaty to regulate transnational corporations and other business enterprises;
- to illustrate the importance of states making progress to establish a Treaty with strong liability mechanisms, a gender perspective, and the inclusion of human rights defenders and indigenous peoples.

**Panellists**
- Siobhan Curran, Trócaire – Welcome and moderation
- David Boyd, UN Special Rapporteur on Human Rights and the Environment – Video message
- Mónica López Pushaina, Wayuu indigenous people, La Gran Parada, La Guajira, Colombia – Testimony from communities affected by Cerrejón mine
- Luisa Rodríguez Fernandez, CINEP/PP – Case study on ecocide and ethnocide in La Guajira in Colombia and launch of “Large Scale Mining and Human Rights in La Guajira”
- Conor O’Neill, Christian Aid Ireland – The role of Ireland & multinationals, and key lessons for a transformative UN Treaty from the Irish Coalition on Business & Human Rights

**The side event will be held on Zoom with Spanish-English interpretation on:**
[https://cafod.zoom.us/j/97764437797?pwd=Sk1yTnRGWFVEU1ZOXZQVG5YNWZ2Zz09](https://cafod.zoom.us/j/97764437797?pwd=Sk1yTnRGWFVEU1ZOXZQVG5YNWZ2Zz09)
Passcode: 769801

This event will be transmitted live on [facebook.com/laguajirahabra](http://facebook.com/laguajirahabra) (Spanish only)

**For Further Information and RSVP:**
CAFOD: Jessica Michelmore - jmichelmore@cafod.org.uk

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⁴ Responding to this situation and inspired by the call of Pope Francis, more than 230 Catholic Bishops worldwide have signed an [international statement](https://www.cafod.org.uk) to stop corporate abuse and guarantee global solidarity.