

November 7, 2006

**Re: Afro-Descendants in Peru and Colombia Oppose the Free Trade Agreements with the United States**

Dear Member of Congress,

On behalf of the more than 15 million Afro-descendant people from Peru and Colombia represented by our organizations, we are writing to you to express our deep concern with the Free Trade Agreements that have been negotiated between the United States and the governments of our countries.

We are certain that these Free Trade Agreements, if implemented, will lead to the further impoverishment of our people, decreased access to health care in our communities, and continued destruction of our traditional territories.

While requesting that you as members of Congress hear our concerns, we also call upon all African-American citizens of the United States, because they face similar dangers as ours with respect to increasing poverty and insecurity as a result of the economic policies advanced by the Free Trade Agreements. This is a call to our African-American brothers and sisters to join in our common fight against this threat which affects our people.

These are our main concerns regarding the Free Trade Agreements:

**Labor: Weak labor rules do not include protection against discrimination**

Racial discrimination is endemic in our countries, and strengthening the international framework of human rights laws prohibiting racial discrimination and xenophobia is a major priority of our organizations. While our countries have passed laws prohibiting racial discrimination, according to your own Department of State these laws have “not deterred discriminatory practices.”

During the negotiations process, the governments of Peru and Colombia proposed that the elimination of employment and workplace discrimination be included on the list of “internationally recognized labor rights” as part of the labor provisions in the agreement. Unbelievably, this proposal was rejected by the government of the United States.

This callous approach to discrimination issues reflects the broader problem with the Free Trade Agreements, which is that they include new rights and protections for multinational corporations but totally ignore the clear negative impacts on the people of the countries involved, and particularly on Afro-descendants and Indigenous populations.

**Agriculture: Unjust competition will increase poverty**

The people in our communities are mostly subsistence Afro-descendant and indigenous farmers. They depend on access to land in order to produce the food necessary for their own survival, as well as to sell to local markets in order to procure the currency necessary to buy food, medicine, clothing, and school supplies for their children.

In this context, rather than undermining our local markets, we need increased access to credit and technical assistance for small farmers, we need to improve the systems for transportation and distribution, we need to improve land use and ownership policies, and we need fairer prices for the commodities we produce. But the Free Trade Agreements with the United States do not offer a single one of these development alternatives for our people. On the contrary, they will increase unfair competition for our local markets. Our families will have to compete with heavily subsidized agricultural products from the United States, pushing us toward economic and cultural extinction.

The results of NAFTA in Mexico have caused over 1 million small farmers, most of them indigenous peoples, to lose their jobs and livelihoods due to such unfair competition. This has caused many to migrate illegally to the United States in search of employment. This confirms the danger that these Free Trade Agreements pose for our people.

According to the National Convention of Peruvian Agriculture (CONVEAGRO), nearly 8 million small farmers, the majority indigenous and Afro-descendants, will be excluded from their traditional markets, and will experience devastating economic consequences if the U.S.-Peru Free Trade Agreement is passed by the U.S. Congress as currently negotiated. Results in Colombia would be similar.

### **Displacement and extractive industries: Investment rules in the FTAs would impede protection of Afro-descendant populations**

Similar to the situation of Native American peoples in the United States, our communities suffer the consequences of being located on top of or close to natural resources, such as oil and gas, coal, and other minerals. Mining projects such as the massive Cerrejon Norte coal mine in Colombia, owned by a consortium including an Exxon-Mobil subsidiary, have resulted in the forced internal displacement of entire communities of Afro-descendant peoples. Many of these projects are polluting rivers, lakes, and rainforests of the Amazon.

We know that mining corporations have used NAFTA to fight regulations meant to protect Afro-descendant and indigenous communities. Recently, Glamis Gold, a Canadian mining company, used the investment rules in NAFTA to sue the United States government for \$50 million over a new regulation in the state of California that would require mining companies to backfill any open pit mines within one mile of a Native American sacred site.

This example is precisely the reason why the US-Peru and U.S.-Colombia FTA investment rules are profoundly concerning, as they will deter efforts to protect our territories. Worse still, the investment rules of the U.S.-Peru and U.S.-Colombia FTAs have been expanded to explicitly cover natural resource contracts, with a particularly broad definition. If enacted, there is no doubt that these investment rules would have a negative and chilling effect on the development of new environmental laws and regulations that are needed to prevent the destruction of our territories and those of the Amazon rainforest on which the whole world depends.

### **Intellectual Property: The FTAs would reduce our access to health care and lead to unnecessary deaths from treatable illness in our communities**

More than half of all Peruvians—and nearly 80 percent of indigenous peoples and those of African descent—live on less than \$1.25 a day. Peru has the third highest child malnutrition rate and one of

the highest rates of maternal mortality in Latin America. Sixty-two percent of children live in poverty and 25 percent of Peruvians lack access to health care.

Despite dire warnings from the Peruvian and Colombian Ministries of Health, the final intellectual property chapters of these Free Trade Agreements would strengthen the patent rights of multinational pharmaceutical corporations, leading to a further *increase* in the cost of health care, which most Afro-descendants already cannot afford. In Peru alone, the Ministry of Health has estimated that the increased cost of these medicines will leave an additional 700,000 to 900,000 people without access to basic medicines, for example for diabetes and HIV. Those most affected will be the Afro-descendant and indigenous communities.

There is no question that more Afro-descendants and indigenous Peruvians, as well as Colombians, will needlessly die from lack of access to necessary medicines if these trade agreements are passed.

The U.S.-Peru Free Trade Agreement and the U.S.-Colombia Free Trade Agreement, and assuredly the unfinished negotiations to include Ecuador, are structured entirely for the benefits of large corporations and not for the people of our countries. In every way, these trade agreements will further impoverish and displace the Afro-descendant and Indigenous communities of the Andean region.

For all these reasons, we respectfully urge you to oppose the U.S.-Peru Free Trade Agreement, U.S.-Colombia Free Trade Agreement, and any similar agreement resulting from the current negotiations between the U.S. and Ecuador.

**Perú:**

Asociación Afroyapaterana  
Centro de Desarrollo Étnico (CEDET)  
Coordinadora de Comunidades Afro-Indígenas del Norte  
Grupo Negro Mamaine  
LUNDÚ Centro de Estudios y Promoción Afroperuanos  
Organización para el Desarrollo e Identidad del Rímac (ODIR)  
Perú Afro

**Colombia:**

ACADESAN - Consejo Comunitario General del San Juan  
AFRODES-Colombia  
Asociación de Consejos Comunitarios de Timbiquí - Cauca  
Asociación de Mujeres del Pacífico  
Asociación de Silvicultores de Guapi  
Asociación General de Consejos Comunitarios de Nuquí – Los Risales  
Asociación Municipal de Mujeres del Municipio de Buenos Aires - Cauca  
ASOCIACION CADHUBEV BENKOS VIVE, Cali  
Asociación para la Defensa del Medio Ambiente y la Cultura Negra- ASO MANOS NEGRA  
ASOPARUPA – Asociación de Parteras Unidas del Pacífico, Buenaventura  
CEPAC – Centro de Pastoral Afrocolombiano  
COCOCAUCA - Coordinación de Consejos Comunitarios y Organizaciones de base del Pueblo Negro del Pacífico Caucaño en Colombia  
Colectivo Territorial Afrochoco  
Comunidad de Alsacia, Buenos Aires, Cauca

Corporación Para el Desarrollo de las Comunidades Afrocaribeñas “Jorge Artel” Ku Suto, Costa Caribe

Concejo Comunitario Mayor del Río Anchicaya, Buenaventura

Consejo Comunitario Negros en Acción de Timbiquí

Consejo Comunitario Renacer Negro de Timbiquí

Concejo Comunitario Río Calima, Buenaventura

Concejo Comunitario Bajo Mira y Frontera, Tumaco

Concejo Comunitario Río Mayorquín, Buenaventura

Concejo Comunitario de Pilamo, Caloto - Cauca

Concejo Comunitario Río Raposo, Buenaventura

Concejo Comunitario Cerro Teta, Buenos Aires, Cauca

Concejo Comunitario Río Yurumanguí, Buenaventura

ECOTAMBOR

Escuela Tonga de Tambores

Fundación Pacifico Sin Cadenas

Museo Nacional de Comunidades Negras - MUNACOM

Organización de Barrios Populares del Chocó - OBAPO

Palenque Regional Alto Cauca, Sur del Cauca – Norte del Valle

Palenque Regional del Congal, Buenaventura

Palenque Regional Kurrulao, Tumaco

Proceso de Comunidades Negras en Colombia - PCN

Red de Justicia Comunitaria

Red Nacional de Jóvenes, Organizaciones y Estudiantes Afrocolombianos

**Additional signatures received November 13, 2006:**

Asociación Fraternal de Comunidades Negras de Cajibío – AFRANET (Colombia)

Consejo Comunitario General – ACADESAN (Colombia)

Corporación Centro de Pastoral Afrocolombiana – CEPAC (Colombia)

Corporación Huellas Africanas (Colombia)