

# Letter from Senator Robledo to Pacific Rubiales

**Jorge Enrique Robledo, Colombian Senator, Bogotá, August 23, 2011.**

*The Senator reaffirms his denunciation of poor labor conditions. The workers who speak out must not be designated as criminals. The protests are obviously labor related. The debate will be retransmitted on September 2.*

In a letter sent to Ronald Pantín, president of Pacific Rubiales Energy, Senator Jorge Enrique Robledo indicated that the Canadian company must not treat the workers who stand up for their rights as criminals, and he criticized the statements made in the media by high executives of the company.

Robledo reaffirmed the denunciations he made in the Fifth Senate Committee (Comisión Quinta de Senado), in which he provided ample evidence to show the deplorable conditions of the Campo Rubiales workers. He stated that "it's nonsense to deny that the primary cause of the workers' protests is their dissatisfaction with the working conditions they are subjected to and the refusal of Pacific Rubiales to respond to their demands."

The Senator clarified that his party, the Polo Democrático Alternativo, does not oppose foreign investment in principle, but the party does require "that foreign capital operate with respect and in the interests of Colombians with regard to sovereignty, profits, taxes, labor relations and the environment."

The debate held in the Fifth Committee (Comisión Quinta) will be retransmitted on Friday, September 2 at 7:00 a.m. Below is the complete text of the letter.

Press Office, Senator Jorge Enrique Robledo

August 24, 2011

Doctor Ronald Pantin, President of Pacific Rubiales Energy Bogotá

Re: Workers demanding better conditions must not be seen as criminals.

The notices that Pacific Rubiales paid to have placed in the Colombian press, which attempt to discredit me, oblige me to reaffirm my points of view on the serious social and labor conflict that the company has with its workers and the community of Puerto Gaitán. As always, our goal is to seek democratic and civilized solutions to existing contradictions.

It's nonsense to deny that the primary cause of the workers' protests is their dissatisfaction with the working conditions they are subjected to and the refusal of Pacific Rubiales to respond to their demands. The work stoppage expresses the exasperation felt by workers whose demands have fallen on deaf ears at the Canadian oil company. It does not seem sensible or productive that Pacific Rubiales denies the economic and social nature of the

demands, by attempting to turn it into a case for the police, and even less so that, in a written public statement which is unacceptable, the company uses the worst terms to refer to the workers who are demanding their rights and also to the labor union that represents them.

I have evidence of what I stated in the Senate debate about the poor labor conditions at Pacific Rubiales, with respect to the contracts, work hours, pay, democratic guarantees, housing, hygiene, transportation and the right to organize, facts that reflect undesirable and even illegal working conditions according to Colombian law. It is of serious concern that the company blocked the public highways in the region to stop the vehicles transporting union leaders from the Unión Sindical Obrera (USO) who were in route to mediate the conflict between you and your workers. And it was even worse that these road blocks occurred while the Colombian Army just stood by, even though the same army was very active in repressing the workers' protests. (The debate can be seen at <http://www.youtube.com/watch?v=WG6M...>)

Studying this case leads to the conclusion that the origin of the conflict is the refusal of Pacific Rubiales to recognize its workers as their own, by imposing on them different forms of outsourcing or third party contracting, a scheme to degrade working conditions that cannot be hidden by arguing about contractual technicalities. Pacific Rubiales cannot boast about its oilfields, its oil reserves, its considerable operating profits and its enormous earnings in the stock markets of Bogotá and Toronto, and then when workers demand a response to poor labor conditions, turn around and allege that these workers are not theirs but rather of third parties whose responsibility it is to take care of them. Also, the precarious conditions imposed by contractors and other third parties on workers are greatly affected by the poor economic conditions imposed on these intermediaries by Pacific Rubiales.

That the Department of Social Protection has not registered a labor complaint does not prove, as Pacific would have us believe, that there isn't a serious labor problem, but quite the opposite. It is merely a consequence of the fact that, the nearest labor office is in Villavicencio, 150 km from Puerto Gaitán, itself 180 km, from the oil field. To request protection of labor rights, a worker has to make a 660 km (400+ miles) round-trip! It is revealing about the situation in Rubiales that on the day of the stoppage there was no one unionized among the twelve thousand workers yet, within hours of the entrance of the USO (Oil Workers Union) into the conflict, four thousand had petitioned union affiliation.

The decision by President Juan Manuel Santos to respond to the protests by deploying an Army battalion to the Rubiales field has caused disgust to workers in Colombia and the outside world. While the state enterprise Ecopetrol, business partner of Pacific Rubiales, does not lift a finger to defend the rights of Colombians, the government of Santos goes to great lengths to be proactive on behalf of foreign capital.

These facts belie saccharine phrases out of the mouths of Presidents Obama and Santos and the government of Canada to the effect that the FTAs will improve the labor rights of Colombians.

In addition, the communities of Puerto Gaitán and Meta feel great dissatisfaction towards Pacific Rubiales based on objective conditions which have been brought to your attention without receiving proper response. For the sake of brevity, one example will suffice: the heavy duty trucks used by Pacific Rubiales have destroyed local roads to the detriment and isolation of the area's agriculture, cattle raising and other activities.

Doctor Pantin: the obvious differences between us in this particular case-- which we hope will be bridged by an agreement between workers, communities and Pacific Rubiales – afford me the opportunity to reiterate to you and to the mining and oil multinationals operating in Colombia that neither the Polo Democrático Alternativo nor this Senator oppose foreign investment in Colombia, mining and oil investments included.

What we ask, as we have often explained, is that foreign capital operate with respect and in the interests of Colombians with regard to sovereignty, profits, taxes, labor relations and the environment. We urge the government to guarantee the enforcement of labor protection legislations and to sincerely promote the modification of domestic standards which ignore Colombia's signed agreements with the International Labor Organization (ILO).

Sincerely, Senator Jorge Enrique Robledo

Bogotá, August 23, 2011.