

Colombia's Oil Wealth – A Resource for Conflict or Peace?

Putumayo's Natural Resources Extraction in Phases of Conflict Transformation

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Abstract: The article deals with the extraction of Colombian oil in the phase of conflict transformation, and questions whether it contributes to peace in the Latin American country and if so, under which conditions. By applying a case study methodology to the oil sector, the level of power and wealth sharing in the department of Putumayo will be assessed. The article establishes that channels of participation and wealth distribution are only working marginally, but that armed groups as well as the civil society continue to apply pressure on the sector through violent or non-violent, legal and illegal means.

Keywords: Colombia, Putumayo, natural resources, oil, conflict transformation

Stichwörter: Kolumbien, Putumayo, natürliche Ressourcen, Erdöl, Konflikttransformation

1. Introduction

Social conflicts related to mining have increased sharply in number as well as in intensity since the mid-2000s (cf. Conde, Gamu, Le Billion undated: 6). While natural resources have brought jobs, prosperity and wealth to countries, resource extraction has also led to environmental damage, the destruction of livelihoods and social conflicts between communities, armed groups, state institutions, and private cooperations.

Since oil generates an important part of the Colombian government's income, non-state armed groups frequently tried to extort revenues and to attack its industrial infrastructure. A variety of intimidation and extortion strategies, such as pipeline bombings, kidnappings, targeted killings, massacres or the taking control of social organisations and local institutions are applied (cf. Rettberg, Prieto 2016: 2), with severe consequences for local residents. This especially applies to the Putumayo region, a province of the Colombian Amazon, bordering on Ecuador and Peru. Due to its violent past, the region has been prioritised by the United Nations (UN) for the phase of conflict transformation after a peace agreement with the country's largest guerrilla group *Fuerzas Armadas Revolucionarias de Colombia (FARC)* was signed in 2016. This article intends to investigate the Colombian oil extraction in the phase of conflict transformation and wants to find out whether the commodity contributes to peace in Colombia and if so, examine which pre-conditions are necessary. Peace is here not only considered to be the absence of war and direct physical violence in accordance with Johan Galtung's concept of negative peace (cf. Galtung 1996), but rather as the "absence of structural and cultural violence [...] and prevalence of justice, harmony and equality" (Tilahun 2015: 1) that enable sustainable living conditions and individual as well as collective development.

By using a case study method and by building on Vita Roy's theory on lootable resources management, I will answer the research question, through an in-depth analysis of the aspects of power sharing and wealth sharing.

2. Theoretical Considerations on Natural Resources and Wars

The broad body of literature concludes that natural resources have played a major role in initiating or prolonging conflicts by providing non-state armed groups with funding to buy arms, to facilitate recruitment and for private gain (see: Conde, Gamu, Le Billion undated). Less attention, however, has been paid to the role of natural resources in conflict transformation and on-going peace processes.

Although no recognised definition of conflict transformation exists, the term considers conflicts not per se to be negative, but as valuable and indispensable interactions that enable change, social progress and development (see: Berghof Foundation 2012: 7). "Conflict transformation is [...] about transforming the very systems, structures and relationships which give rise to violence and injustice" (Ibid: 22). By establishing constructive and non-violent channels of communication, underlying root causes can be addressed and conditions for sustainable peace created.

Authors like Ross or Collier argue that oil is a particularly conflictive resource,¹ because its high value increases the incentives for theft. Oil, in contrast to drugs or gemstones, is a non-lootable commodity because extraction and transport usually requires comprehensive knowledge and equipment. Yet in Colombia, oil revenues have become sources of rebel funding, as pipelines are frequently attacked and oil is sold in barrels. Weak institutions facilitate rent capture and some revenues are diverted into private pockets and to profit corrupt actors.

Nevertheless, natural resources have also been used to stabilise and rebuild war-torn societies. Boege and Franks argue that mining in a post-conflict setting must be *conflict sensitive* as well as *conflict relevant*. Not only must it minimise violent conflict but also contribute directly to peacebuilding (cf. Boege, Franks 2012: 87). Vita Roy investigated lootable natural resource governance and how it can enhance post-conflict stability. This article builds on her resource management theory including exclusionary, paternalistic, shared and transformative models, which are characterised through different levels of power sharing and wealth sharing. Her ideas are illustrated in the following table:

- 1 Agricultural commodities are less involved in conflict than for example oil, gas or gemstones.

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Figure 1: Strategies of Post-Conflict Lootable Resource Management

		Investment in private or public goods (wealth sharing)	
		Private	Public
Inclusion of nonstate armed actors (power sharing)	Limited	Exclusionary	Paternalistic
	High	Shared	Transformative

Source: Roy, Vita. 2018. *Managing Resource-related Conflict*, 1,051.

This article examines the question of whether or not her framework can be applied to the non-lootable resource oil and to a local context in the Colombian Amazon.

3. Research Design

A qualitative case study has been determined as the most suitable method to answer the research question above, since it is not only able to confirm or refute assumptions, but also to reveal new aspects and to explain complex causal relationships. To reach this goal, an extensive literature review has been conducted. This included qualitative and quantitative data sources such as academic books and papers, databases, newspaper articles (especially local ones), government reports and those of regional, national or international non-governmental organisations or private companies.

While the scope of this article did not allow investigating a broader set of cases, the case selection has been based on four aspects: the oil sector's contribution to national and regional GDP, violent disputes involving oil (focus on pipeline bombings), the presence of armed groups, and the representativeness of the department for the broader Colombian context (see: Deacon 2018: 10-14).

4. Colombia's Oil Wealth and its Involvement in Armed Conflict

Colombia, with a daily production of 875,000 barrels, is currently ranked as number 22 of all oil-producing states (cf. U.S. Energy Information Administration, EIA 2018). With export rates of an equivalent of more than \$10 billion U.S. Dollars (2016), oil is Colombia's biggest export product, followed by coal (cf. Observatory of Economic Complexity, OEC undated). With the first concessions for oil extraction issued in 1905, the petrol production in Colombia has increased significantly over the last decades. Calling the mining sector the 'motor of the Colombian economy', the Government of Colombia (GoC) intends to increase production further, including marine and non-conventional extraction sites.

Although crude oil deposits are dispersed around the country, extraction companies are mainly operating in remote rural areas, where opportunities for criminal activities are higher than in large cities and where the capacity of the state to intervene is simultaneously weak. Therefore, extractive centres are often marked by prostitution, corruption and crime (cf. Rettberg 2015: 8).

Since the peace negotiations in Havana began, illegal groups have continued to attack the infrastructure of oil companies and have even increased hostilities in order to send out warnings to their competitors and to strengthen their negotiating position (cf. Ibid: 7). Apart from bombing pipelines, rebels have also installed illegal valves to divert oil. Through this technique 259,870

barrels have been stolen from the Transandino pipeline (going through Putumayo) in 2017, with a growing tendency in 2018 (cf. Mi Putumayo 2018). While only 30% of the stolen oil is sold, the remaining 70% contaminates local soil and rivers (cf. Ibid).

The demobilization of the FARC has not ended violence in many parts of the country. In rural areas, it has left a power vacuum which the National Liberation Army *Ejército de Liberación Nacional (ELN)*, the *bandas criminales (Bacrim)*² and other armed groups have tried to fill by increasing their attacks. Environmental damage continues and many structural problems and criminal activities remain prevalent.

While the GoC has not always been able to control the sector's vulnerable physical infrastructure, two responses developed as a result of the security dilemma: on one hand, security became privately organised, for example through private security forces but also through illegal measures such as the financial and political support for paramilitary groups. On the other hand, companies engaged in development and peacebuilding initiatives, reflected in Corporate Social Responsibility (CSR)³ programmes. "In exchange for becoming the main provider of goods and services, the oil company demands community consent to carry out its operations in their territory" (Vásquez 2014: 65). This raises a fundamental question: to what extent does the responsibility of the company apply and where is the state exclusively in charge?

In Putumayo, the provision of mining concessions and the production of oil has increased rapidly since the 1940's. In 2000, the national government declared it as territory of national interest. While the Putumayese oil industry contributes 63% to the regional GDP (cf. Vega Barbosa 2017), other sectors of the economy are far less developed (cf. UNDP 2016: 87). Puerto Leguízamo is the only one of 13 municipalities in which considerable areas are not declared as productive, explorative or available zones (cf. Agencia Nacional de Hidrocarburos, ANH 2017). Four companies are currently involved in Putumayo's petrol extraction: Canadian Gran Tierra Energy (50% of the production), Colombia's largest petroleum company Ecopetrol, (19%), Vetra (18%), and the British company Amerisur (13%) (cf. ANH 2017). All producing companies are also involved in explorative activities, as are several other companies.

The development of the oil sector has had heavy impacts in Putumayo: the building of infrastructure required a considerable workforce and has led to massive migration towards the "petrol centres". Although these labour opportunities were only temporary, the settlements, characterised through lower living standards, remained and created new social orders (cf. Franco Hernández, Valdés Carrillo 2005: 44). Different armed groups have fought for territorial control and for the allegiance of local communities in Putumayo due to its strategic border location, a weak state presence that has led to ongoing impunity, and the existence of natural resources and coca plantations. High levels of violence, economic deficits and environmental disasters are apparent, not only because of the attacks by the FARC guerrilla, but also because of the low operating standards of corporations (cf. Fernando Ávila, Sánchez Sambrano, Torres Tovar 2014: 46).

Vásquez argues that throughout the last 40 years, conflicts related to oil can be categorised in two ways: on one hand, they include illegal acts by armed groups such as kidnapping

- 2 Bacrim are armed groups that evolved after the demobilisation of the paramilitaries *Autodefensas Unidas de Colombia (AUC)* between 2005-2008, they have less hierarchically organised structures than the guerrilla FARC or ELN.
- 3 CSR describes a mandatory or voluntary social conduct for private companies. CSR covers a broad range of activities targeting vulnerable communities, such as improving living conditions, promoting human rights or environmental recovery/preservation.

employees of oil companies for ransom or attacking oil infrastructure to gain income from oil revenues. On the other hand, conflicts include indigenous, afro-Colombian or rural communities fighting for their territories and sustainable living conditions (cf. Vásquez 2014: 17). Fundamentally different understandings of land and its resources have led to persistent conflicts. While the GoC points out that according to Article 332 of the Colombian constitution (cf. Rama Judicial, República de Colombia 1991: §332) the subsoil including its non-renewable natural resources are owned by the state, many indigenous people have a completely different perception of the earth. For most of them, it is a living being, closely connected to their emotions, identity and belonging (cf. Ulloa 2015: 39).

5. Oil Extraction: Promoting Peace or Conflict in Putumayo?

5.1. Power Sharing in the Oil Sector

In testing Roy's theory, it is useful to use her definition of power sharing, which "refers to the degree to which [...] [non-state actors such as rebels or the civil society] are able to influence decisions that impact one or several aspects of the resource value chain" (Roy 2018: 1,050). In this context, power sharing means to enable affected people to influence different phases of decision-making. It covers topics such as whether to extract, where to extract and under which conditions extraction should take place.

While no official mechanisms of power sharing exist for non-state armed groups in the extractive sector, the violent disputes around oil have shown that FARC dissident and other armed groups are not isolated from the sector, but continue to manipulate and to attack its infrastructure. "Armed actors have developed sophisticated systems to capture oil resources in producing regions and municipalities, by controlling political parties, local governments, and local community organisations and through the use of selective coercion" (Rettberg, Leiteritz, Nasi 2014: 21). Apart from rebel financing, extortion and the capture of institutions have influenced decision-making processes.

The civil society plays an important role in conflicts related to natural resources in Colombia. Legally speaking, indigenous people and ethnic groups are protected and enjoy the right of prior consultation. According to the Colombian constitution (cf. Rama Judicial, República de Colombia 1991: §330: 122), any type of extraction has to involve the participation of local leaders and has to be done without degrading the integrity of ethnic communities. In practise, however, this law contradicts Article 332, which states that the subsoil is property of the state. This leads to a clash of interests on the local level. Despite the fact that 28% of Colombia's territory belongs to indigenous groups, in 2011, 2,142 mining titles were granted, while only 141 prior consultations took place (Noticias salidas 2011: 8). For Putumayo United Nations Development Programme (UNDP) states:

"Ethnic minorities, indigenous or afroputumayos continue to be socially marginalised and they are not recognised in the processes of prior consultation regarding work that in some way affects their territories" (UNDP 2016: 88-89, direct translation from Spanish).

In several disputes, the constitutional court has taken on an important role in deferring communities' rights. In some cases, its decisions have suspended activities, led to new scientific investigations or to financial compensation for affected communities.

Apart from those prior consultations, *consultas populares*, referenda deciding whether extraction should take place, have also been chosen as a means of participation in political decision-making. They have taken place with a remarkably high participation and a strong tendency (over 90%) to vote against mining projects (cf. Dietz 2017: 64). These clear political messages show that most people that make use of their votes strongly oppose the extractivist model and that they wish to influence political decisions related to the sector. While these referenda are considered illegal by the GoC⁴, they are sometimes chosen by communities unable to act for indigenous rights (cf. Leifsen et al. 2017: 1,048). In 2017, Puerto Leguizamo (Putumayo) started to plan such a referendum (cf. Contagioradio 2017).

The green government of Putumayo increased established channels of civil participation for the creation of its regional development plan (cf. Villarreal 2016). Within working groups, communities articulated their concerns regarding the impacts of climate change and the contamination of water resources through large-scale mining, and advocated reforestation and the conservation of different ecosystems (cf. Ibid). Although the influence on actual developments in the petrol sector remains unclear, it demonstrates that there is awareness among politicians for the problems facing civil society.

Finally, the ongoing violence against community leaders and human rights defenders highly influences and impedes civil participation. The NGO *Somos Defensores* (2018) assesses that during 2017, 560 attacks took place against human rights defenders – with 106 being assassinations (an increase of 32,5% in comparison to 2016) (cf. 2018: 61). In Putumayo, six human rights defenders and community leaders were killed throughout 2017 (cf. Ibid: 66-80). This number is only surpassed by the western provinces Cauca, Antioquia, Valle del Cauca and Chocó.

While the GoC has no interest in promoting civic engagement, social and environmental movements are frequently criminalised. The *Natural Resource Governance Institute (NRGI)*, an institution that evaluates resource governance around the world, gives Colombia only 36 out of a possible 100 points for protecting the environment and local populations (cf. NRG 2017: 10). This leads to the conclusion that participation in Colombia – although it is a fundamental right – is still marginal and depends on each context and company.

However, despite these non-existent or underperforming mechanisms, communities and civil society organisations continue to articulate opposition to extractive activities and illuminate the violation of their rights through referenda, strikes and campaigning.

5.2. Wealth Sharing in the Oil Sector

Roy defines wealth sharing as "the provision of resource-generated public goods (such as investment in infrastructure and public services but also the removal of negative externalities of extraction through means of regulation benefiting the public) rather than private goods (such as high-level corruption benefiting the few)" (Roy 2018: 1,050). It deals with the degree to which revenues generated from the natural resources benefit the population through the development of basic services, social projects, and infrastructure.

4 The GoC considers the subsoil and its natural resources as property of the state and criticises the interference of local actors in national decision-making.

In Colombia, royalties from natural resource extraction are the most important state revenue. According to the national hydrocarbon agency ANH, since 2005, an increasing number of royalties have been invested in social services such as education, health, and the provision of drinking water (cf. Deacon 2018: 42). All sectors apart from sports and culture profited from 2012 to 2017 due to a budget increase; education and health have received most funds (cf. Ibid.). Although the royalty system (Sistema General de Regalías, SGR) was entirely reformed in 2012, it still has deficits: 43% of infrastructural projects financed through the SGR were inefficient according to their allocated resources, and 71% required approximately seven and a half months on average more for their completion (*Departamento Nacional de Planeación*, DNP undated: 55-56).

While Monge Salgado et al. (cf. 2016: 29 ff.) argue that at the national level, the income generated by the extracting industries has facilitated a significant improvement of social indicators, such as economic well-being, education, housing, and employment, rural and mining areas often face a different reality. Rettberg states: "security improvements and economic growth are not evenly spread. Specifically, regions in which extractive activities prevail have seen homicides and kidnappings decline less vigorously – or even increase – than in the rest of the country." (Idrobo et al. 2015 in: Rettberg 2015: 2). In Putumayo, significant improvements in poverty reduction were achieved between 1993 and 2005 (cf. *Sistema de Información Geográfica para la Planeación y el Ordenamiento Territorial*, SIGOT 1993, SIGOT 2005). However, despite an increase in royalty investments in social services between 2005 and 2010, the situation has not improved further. All municipalities remained equally poor, with Puerto Asís even degrading from 5% to 30% (cf. SIGOT 2005, SIGOT 2010). Since the Colombian National Administrative Department of Statistics (*Departamento Administrativo Nacional de Estadística*, DANE) stopped publishing data on unsatisfied basic necessities and multidimensional poverty in Putumayo (and seven other provinces) it is not possible to analyse the current situation thoroughly. It remains, however, highly paradox that while Putumayo has been categorised as "territory of national interest", no current data about poverty, unemployment, and income equality is published.

In 2016, UNDP claimed that one third of the population still lives in poverty and that the situation is worse in rural areas, where at least half of the population suffers conditions of poverty (cf. UNDP 2016: 88). Major housing, health and education deficits exist, especially outside the provincial capital Mocoa. UNDP argues further that most of the generated income does not benefit the local population but serves multinational companies (cf. Ibid: 87-88). This suggests that the situation remains problematic. A local resident underlines the dependencies on aid:

"I came to Teteyé [a village bordering Ecuador] 20 years ago, when this was a jungle full of beautiful ponds where everyone used the water. Now, one can see that they are all full of oil and we depend on lorries which bring us water every four days." (Rodríguez in: *Mi Putumayo* 2016, direct translation from Spanish).

Despite the fact that since 2014 Colombia has been member of the Extractive Industries Transparency Initiative (EITI), Transparency International assesses several corruption problems for Colombia's mining sector: community leaders do not represent the communities' interests in negotiations with companies; reforms and laws are written in favour of private instead of public interest; community agreements can

be manipulated; and there is a high risk that applicants for mining licences are controlled by undeclared beneficiaries (cf. Transparency International 2017: 16). UNDP claims that corruption in the administration in Putumayo is used as a means to hold on to power structures and to ensure institutional cohesion and functionality (cf. UNDP 2016: 89).

An anti-corruption analysis conducted in Mocoa 2018 revealed that corruption affects nearly all sectors of administration. The most corrupt area is education, where most of the royalties are invested, followed by reconstruction and transport, involving even larger sums of money (cf. Caracol 2018). The judiciary and the police are also highly affected. The high levels of corruption could explain why the data on basic services provision and poverty have not improved since 2005, despite the increasing funds for these areas. It suggests that huge amounts of money are diverted into private pockets, instead of combatting poverty and improving living conditions.

While oil has generated enormous wealth, it surely has not benefitted all Colombians. Instead, "it has also been the source of conflict and negative environmental effects throughout almost the whole country." (NRGI 2015: 1). Within this context, the question arises whether local economic, social and environmental grievances can be justified by the generation of revenues for the national government. "The claim that the continuance of the extractive economy is a necessary driver for economic development, and source of financing for the post-conflict period, needs to be contrasted with the consequences of this decision for human rights and the environment" (McNeish 2017: 512). Luisa Fernanda Pedraza from the environmental organisation CENSAT points out the paradoxical situation that extractivism is expected to pay for peace in Colombia. The question, however, arises whether environmental injustice can and should be paying for social justice (Pedraza 2018).

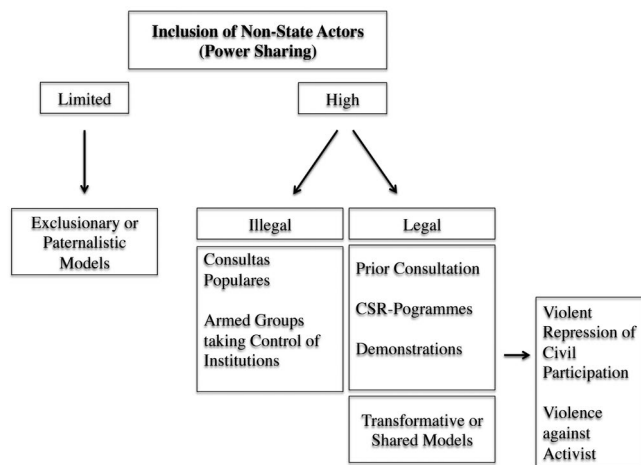
6. Discussion

The case study of Putumayo has shown that it is not straightforward to classify regimes of resource management as inclusive or distributive or as one of Roy's four resource management types transformative, paternalistic, shared or exclusionary. Behind each case lie different social, economic and cultural contexts, different governments on the local, regional or national level and companies with different ambitions. The lines between cooperation and conflict are sometimes blurred, especially immediately after a peace agreement has been reached and when many forms of criminal activities persist. While in many cases some sort of mechanisms of power and wealth sharing may be present, the question arises how much is needed to lead to sustainable peace.

The case of Putumayo led the author to conclude: power sharing and wealth sharing do not only occur in a high or low intensity, but can also be categorised into legal and illegal means of action which are chosen to apply pressure by armed groups or by parts of the civil society. While legal mechanisms of inclusion, such as prior consultations, civil protest or CSR programmes, are working only marginally, illegal forms of action are also chosen, such as the *consultas populares* or armed groups taking control of public institutions. Similar aspects apply to wealth sharing: despite the existence of legal wealth sharing tools such as royalty programmes, financial compensation or CSR programmes, illegal forms of wealth sharing are applied and include theft and trade of oil, corruption, and the provision

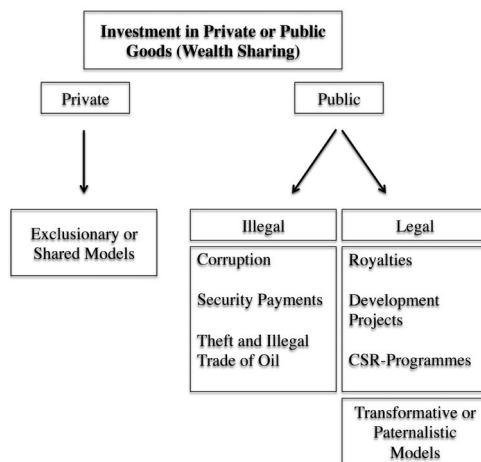
of security payments to armed groups. The following figures illustrates these ideas:

Figure 2: Power Sharing/ Inclusion of Non-State Actors



Source: Author's figure.

Figure 3: Wealth Sharing / Investment in Public Goods



Source: Author's figure.

How does resource extraction influence peacebuilding efforts? Firstly, civil participation, including illegal referenda, although initially generating conflict have had some impacts and can help to establish a more just and transparent resource governance (cf. Roy 2016: 9). Other illegal forms of power and wealth sharing such as corruption, oil theft and security payments are more likely to have a negative impact on peace as they contribute to rebel financing, environmental damage and lead to negative financial consequences for the state.

Secondly, the criminalisation of protests and the violence directed against activists with the aim to prevent or reduce any form of participation in the sector shows that the added value of power sharing is not (yet) recognised or desired.

Thirdly, while wealth sharing contributes to peace, high levels of corruption are likely to contribute to instability and injustices, which can escalate into violent conflict.

7. Conclusion

This article has shown that despite the historical peace agreement with the FARC, violence related to the extraction of natural resources continues. In Putumayo, Colombia's black gold influences the armed conflict. Instead of contributing to peace, the sector's security cannot always be guaranteed in a violent environment. Constant attacks increase regional militarisation, and environmental damage impacts biodiversity, health, and the food security of local communities. Although wealth sharing exists on paper, huge amounts of money and oil are stolen – with negative consequences for local residents. Activists and land defenders are threatened because of the government's fractional presence and weak institutions. Fighting corruption is one of the most important but an essentially difficult task in light of existing power structures, for which independent access to information is required. The fact that no statistical poverty data exist in territories of "national interest" should be addressed in a critical manner, as this absence may be connected to interests that prevent those figures from being generated.

Despite the fact that an increasing number of groups are applying pressure on the government to rethink its model, Colombia is not likely to move away from the economic model based on the extraction of non-renewable natural resources in the coming years. The position of the recently elected president Iván Duque has reinforced this forecasting. While Colombia is highly dependent on the financial contribution of oil and carbon, other economic sectors are not sufficiently developed to absorb the economic losses. It remains unclear how compliance to environmental standards can be ensured in territories that the Colombian government cannot control.

Continuing extractive activities as presently performed ignores the negative impact of how extractivism contributes to clientalism and how it undermines efforts to establish peace. Being part of the largest rainforest on earth, Putumayo is not only relevant for Colombia. Due to the unique flora and fauna and its potential for climate change mitigation and oxygen production, the area's protection and preservation deserve more attention.

Roa García claims that "for the near future [...] there will not be peace in the territories without environmental peace." (Roa García 2016: 9). With the development of new technologies and rising awareness regarding the negative consequences, the petro-chemical industries are bound to become redundant or to lose a good deal of significance in the coming decades. However, to move away from the extractivist model, to create viable economic alternatives and to achieve environmental peace in Colombia much still has to be done.



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