"The People Don't Give Up, Dammit!"

In Buenaventura, Colombia, a Civic Strike and a Collective Plan to End a Port-Enclave.

BY PATRICIA RODRIGUEZ

The port of Buenaventura, Valle del Cauca, Colombia, May 2017.

Credit: All photos by Patricia Rodriguez.

"THE PEOPLE DON'T GIVE UP, DAMMIT!" *"¡El pueblo no se rinde, carajo!"*

That was the chant that rose up from the Civic Strike of the city of Buenaventura, in the department of Valle del Cauca, Colombia, in May and June 2017. The Civic Strike, supported by 114 organizations and hundreds of thousands of people who barricaded access roads to the port, was according to some residents the strongest mobilization in Buenaventura's history. Paralyzing port activities and leading to millions in losses for multinational corporations, it was the result of years of civil-society organizing—spurred by the build-up of frustrations over the violence, historical neglect, and extreme poverty levels that plague a majority of the population in this city. The Strike ultimately led to the introduction in Congress of a law to establish an autonomous fund for Buenaventura, which includes mechanisms of collective decision-making about development plans for the city.

On July 17, 2017, about 40 community and labor leaders from Buenaventura met with a dozen members of international organizations like the World Organization against Torture, the U.S.-based Witness for Peace, and the Colombian-based NGO Inter-Ecclesiastic Commission of Justice and Peace, to testify about the precarious living and working situation of thousands of labor-union members, Afro-descendant community leaders, fisherfolk, and many others in and around this port city. The leaders took turns describing the vast reach of systemic violence and poverty, and the massive failures by national and local government officials to address these problems.

Speaking out against injustice was not an easy decision for the women and men gathered at this meeting, and at the various sites of resistance during the Civic Strike. The meeting took place in the Punta Icaco Humanitarian Zone of Buenaventura, a proclaimed safe-space established in October 2016 after local residents (who largely earn a living from small-scale local lumber operations) sought help from human-rights groups, after deeming it impossible to continue to suffer intimidation and extortion by illegal armed groups. Punta Icaco lies adjacent to the Puente Nayero neighborhood of Buenaventura, which in 2014 formed the first urban Humanitarian Space in Colombia, after a series of deaths by dismemberment were discovered in nearby "chop houses" run by local paramilitary groups.

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Today, the threats and attacks by paramilitary groups like AGC (Gaitanista Self-Defense Forces of Colombia) against community leaders still happen almost daily, in spite of the heavy presence of public security forces that are supposedly there to protect the population, and military presence in the nearby Bahía Málaga military base (also a U.S. Navy base since 2009). AGC is a paramilitary group that has terrorized communities in the Pacific Coast region since their supposed demobilization after the 2005 Justice and Peace Law. In fact, within nine days of the meeting with international organizations, one of the leaders at the meeting was held at gun-point in his home, allegedly by AGC operatives, and told "not to meet with the gringos or he would be killed."

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But in Buenaventura, desperation has obviously surpassed the fear of speaking out; the living conditions of many who live and work in the port area are absolutely desolate. According to official figures, 80% of the population of Buenaventura lives in poverty, 21% are illiterate, and the unemployment rate is 62%. Residents complain of having little or no access to water; what little is available is often not safe enough to drink.

But the people of Buenaventura are, as their chant proclaims, not giving up.

The Port as a 21st-Century Enclave Economy

At the Punta Icaco Humanitarian Space meeting, leaders spoke of labor abuses, forced displacement, torture, death threats, and killings practiced by a variety of powerful actors: paramilitary groups, guerrillas, and port officials. But the stories also implicate elites such as politicians and heads of national and multinational corporations, including Sociedad Portuaria de Buenaventura (SPB). SPB is a port-operations company majority-owned by a dozen billionaires from Colombia, Philippines, Spain, China, and South Korea. SPB operates the biggest port in Colombia's Pacific Coast, which 60% of all Colombian exports go through, including 80% of coffee exports, and high percentages of palm oil, coal, steel, petroleum, grains, sugar, banana, and other products. The port brought in $5.8 billion (U$2 million) pesos in national customs revenue in 2016.

The port itself has an operating capacity of more than 12 million tons of cargo per year in its five terminals. *The Guardian* reported in 2011 that China had proposed building a rail link connecting the port of Cartagena with Colombia's Pacific Coast as well as a $7.6 billion plan for the expansion of the Buenaventura port, in order to increase Chinese exports into the Americas and to facilitate the export of coal and other raw materials from Colombia to China.

Though the port has indeed expanded, an even more telling sign of the importance of port access is the March 2017 inauguration of the new $550-million Port of Agua Dulce, owned and operated by two large Asian companies, ICTSI (International Container Terminal Services, Philippines) and PSA (World's Port of Call, Singapore). Agua Dulce is advertised as the most modern port on South America's Pacific Coast, yet it is swiftly leading to environmental destruction and the forced, violent displacement of Afro-descendant and indigenous communities in the area. In the Afro-descendant community of El Cruzero, for instance, leaders complain of violent displacements and the vast clearing of ancestral lands for mining and other purposes by companies that operate in Agua Dulce. In this sense, the ports' importance to a wide portion of the local population is quite reminiscent of the dependency produced during the era of expansion of enclave export based economies in the 1900s.

The *Paro Cívico*: Labor, Ethnicities, Civic Organizations Hold their Ground

The contrast between the technological and infrastructural capacity of the port itself and the levels of poverty and displacement among the people living nearby is stark, revealing the essence of residents' long-term drive to organize. The city's crisis reached a climax during the 22-day Civic Strike, but the problems of extreme poverty, drug-trafficking, and violence in Buenaventura span many decades. Initially, the Civic Strike leaders called on the

Colombian government to declare an economic, social, and economic state of emergency. Their demands included, among others, an increase spending on housing, healthcare, basic sanitation, infrastructure, and education at all levels, as well as an accountable and collective rights-based legal system that protects rather than victimizes marginalized populations. The organizations also asked for monetary and symbolic reparations for victims of violence by state- and non-state armed actors, and a commitment of funds for the strengthening of local economy, creating jobs and increasing salaries, as well as increased public expenditures on the recovery and conservation of degraded ecosystems, including rivers and biodiverse areas.

As the Civic Strike gained strength, more than a hundred civic organizations began working together at different strategic meeting points (or *puntos de encuentro*) in the city. Hundreds of thousands of residents of the region occupied entire areas, calling for transformative peace in the territories. By this they meant one that touches on structural changes and the right to live in dignity, and which goes beyond the cease-fire agreements, being negotiated between the Colombian government and guerrilla groups like FARC (Revolutionary Armed Forces of Colombia) and ELN (National Liberation Army), to end a civil conflict that has lasted more than fifty years. The strike was met with brutal attacks by police and the Escuadrón Móvil Antidisturbio (Mobile Anti-Riot Squad, known as ESMAD) forces, resulting in several deaths, and thousands injured. Security officials threw (U.S. manufactured) tear gas grenades and shot rubber bullets blindly toward the crowds, but the demonstrators who gathered at the strategic points held their ground.

La Delfina, one of the *punto de encuentro* communities, was selected by the Civic Strike Committee for its strategic location, at the entrance of the main highway leading into the island-port of Buenaventura, and its inter-ethnic profile, with indigenous and Afro-descendant groups coexisting but largely living and defending their separate territories. Having nearly always fought for their own interests, the groups were united by calls for mass non-violent resistance and by the brutal repression just four days into the strike. Two weeks into the road blockages and strike, the loss to the export sector was already $20 billion pesos ($7 million). As a leader of the Afro-descendant community explained: "We had an experience that merits being replicated elsewhere. We were able to interact and coordinate with the nearby indigenous leaders from the Nasa-Embera communities for the first time. We were attacked indiscriminately, but this just united us. If we did it alone, this would be impossible." Though the state of economic emergency was not called, allegedly due to the national government's fear of a domino effect, the idea of the autonomous budget has brewed from this unity.

Punta Icaco Humanitarian Zone at night, May 2017.

The fifty-plus years of armed conflict are undoubtedly a source of the state's failure to implement more just economic plans and address human-rights violations. Despite the seeming advance in formal peace negotiations between the FARC and the Colombian government since 2012, peace is not at all felt on the ground. The problems in Buenaventura also have deeper structural sources, revealed most visibly in the labor situation in the Buenaventura Port itself.

Privatization and Corporate Labor Abuse

Buenaventura has operated officially as a port city since 1827, but fast-paced modernization began with the creation of state-owned Empresa Puertos de Colombia (Colpuertos) in 1959. At its peak in

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the 1970s, Colpuertos directly employed about 10,000 workers. At that time, the port of Buenaventura consisted of a single dock. Throughout Colpuertos' decentralization (the process of decreasing the decision-making role by state managers of public enterprises) in the 1980s, jobs and salaries remained relatively stable, but its eventual privatization in 1991 and the concomitant end of collective bargaining agreements represented a drastic change in labor standards and protections. For instance, average salaries of port workers decreased from 6.3 times the minimum wage, in the 1980s, to just 1.8 times by 2002. During the 1980 and 1990s, Colombia's governments adhered to neoliberal economic policies, spurring the "flexibilization" of labor relations and the creation of hundreds of subcontracting firms of all sizes. These firms moved swiftly to hire low-paid temporary workers.

With new technology and a culture of anti-unionism behind the economic model, the number of port-related jobs in Buenaventura declined, by 2008, to only about 3600, with only 200 being part of the SPB. As Daniel Hawkins (2013) states, "Buenaventura appears to have been the laboratory for labor intermediation in the Colombian port industry … [it] was the port of most frenetic entrepreneurial activity."

But in 2007, a handful of port workers in Cartagena decided to create a new, more representative union (Unión Portuaria, UP) to fight labor outsourcing (tercerización) and reestablish formal contracts with SPB in all the ports of Colombia. In August 2012, following years of labor conflict with SPB and subcontracting firms like TECSA (Terminal de Contenedores, S.A., responsible for loading and unloading of cargo containers), a strike by key UP workers led to 110 workers obtaining direct contracts with SPB, but this left another 3500 workers still in insecure indirect jobs with TECSA. Meanwhile, TECSA's net profit was 11.6 billion pesos ($3.7 million) in 2012.

Activists at the entrance of El Cruzero, May 2017. On the billboard in the background, the declaration of protected ecological area, amid signs of military presence and trucks coming in and out of the area.

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RETEN MILITAR
INFANTERIA DE MARINA

The labor abuses continued, and in May and June 2015, Unión Portuaria organized another strike. This one ended with a direct contract with SPB for 376 workers, and with TECSA for another 523 workers. Again, another 3,000 workers remained without a direct collective bargaining agreement that would guarantee an eight-hour work day, increased wages, and other protections for them and their families. J.R., a leader from Unión Portuaria notes, "[2012-2015] were years of many violent mass displacements of people living in neighborhoods in and near the Buenaventura port, which in turn spurred many of us [in UP] to denounce forced displacement, and to organize actions to return to our territories [near the port]."

Labor abuses in Colombia were supposedly to be addressed as part of the 2011 U.S.-Colombia Free Trade Agreement Labor Action Plan (LAP), hailed by the Obama administration as a roadmap to improving labor rights in Colombia. Under its LAP commitments, the Colombian government would prioritize key economic sectors—including palm oil, sugar, mines, flowers, and ports—for increased labor inspections. Yet, by 2015, the failure of LAP was evident in a low number of inspections and weak enforcement of labor standards. In addition, labor leaders continued to be targets of threats and assassinations: Between 2011 and 2015, 105 labor leaders were killed, allegedly by right-wing paramilitary members or thugs paid by secret "intellectual authors" who are rarely identified.

The government of President Juan Manuel Santos (in office since 2010) has put in place so-called "integral development" schemes such as Plan Pacífico (2014), which would target infrastructure building all along the Pacific coast. In Buenaventura, the government hired a Spanish engineering and architecture consulting firm, Esteyco, to develop a multimillion master plan to modernize the port city and create biodiversity and ecotourism projects. But the plan was largely developed without consulting civil society organizations. As Senator Alexander López-Maya declared during a Congressional hearing in 2017, "This is basically a plan for clearing of the population from the island-port to the inland. It is a scene of frequent terror, fear, persecution so that people abandon their lands, and go wherever, and this is most worrisome. We have a total of 140,000 people displaced, six thousand just last year, in the Bajamar port-structure zone."

The Autonomous Budget

Because Buenaventura has such a history of labor, indigenous, and Afro-descendant resistance to exploitation, the negotiations around the creation of (and mechanisms for) an autonomous budget (FonBuenaventura) takes on added importance. It shows the growth of collective methodologies and long-term thinking on the part of the movements. A member of the Civic Strike Executive Committee calls it "an acceptable resolution to problems that the government never intended to resolve." An autonomous budget involves a 10 billion peso (US$3.3 million) trust fund established by law (on July 26, 2017), to be gathered and used over a span of 10 years, and which forms an integral part of municipal development plans. The fund will be based on an allocation of 50% of local tax revenue each year and additional national funds and external loans.

The agreement includes an immediate infrastructure investment of 1.5 billion pesos ($500,000), which will include the construction of a sewage system for the port area, an emergency wing of a hospital, and other public projects. The fund, when approved in Congress, will be administered by a FonBuenaventura council, composed of five members of the community, seven national and local government officials, plus the mayor of Buenaventura and the governor of Valle del Cauca. Although lopsided in favor of the government, decisions will supposedly be made through participatory roundtable dialogues (*Cabildo Abierto*, or "open council") around issues such as land, housing, infrastructure, jobs and productivity, water and public services, education, reinvigoration of cultural expressions of Afro-descendant and indigenous groups, greater accountability of the justice system and protection for victims, and human rights. In addition, the agreement includes government recognition of right to social protest, the implementation of collective rights (like free prior and informed consent before any major infrastructural or mining project can begin), protection mechanisms for movement leaders who are threatened for mobilizing, monitoring of post-strike compliance by the state, and the creation of a truth commission to investigate ESMAD and other armed actors' violence during the strike.

According to one of the UP labor representatives speaking at the *Cabildo Abierto*, the future of Buenaventura lies in continuing to build a "culture" of organized popular resistance and struggle for social change. In addition, this requires the creation of a public enterprise of sorts—or at least one that more closely represents the interest of the population of Buenaventura, rather than private interests—continued actions for formalization of labor contracts, the creation of new jobs, and the increase in incomes for ordinary workers.

The unity built over years of organizing, culminating with the Civic Strike, is now reflected in the collective demands being pressed by the people of Buenaventura. These demands promise continued resistance against the exploitative model of labor relations being defended by global capital. Change will not come from entrepreneurs or politicians. It will come from grassroots organizations themselves, as labor and ethnic communities continue to deconstruct systems of power, exploitation, and racism—through continued mobilization, legislation at national and international levels (i.e,. the rights-based framework pushed by organizations like the International Labor Organization or the above-mentioned World Organization against Torture) or both. There is hope that the era of free-reign by elite and state actors might end one day soon. If one thinks about the roots of problems in Buenaventura, it is not hard to imagine that it could be so much different, with a hint of ethical spirit by those in positions of power, and a lot of popular "not giving up, dammit!" **D&S**

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SOURCES: Tania Branigan, "China goes on the rails to rival Panama canal," *The Guardian*, Feb 14, 2011 (theguardian.com); Daniel Hawkins, *The Formalization and Unionization Campaign in the Buenaventura Port, Colombia* (2013) (lser.la.psu.edu); Nayibi Jimenez and Wilson Delgado, "La política pública de privatización del sector portuario y su impacto en la organización del trabajo en el puerto de Buenaventura," *Revista cientifica pensamiento y gestión*, v. 25 (2008); Alexander López-Maya, Colombia Senate hearing, 2017 (youtube.com); Alonso Valencia, *Los orígenes coloniales del Puerto de Buenaventura, Historia y Memoria* (July-December 2014).