



MiningWatch Canada  
Mines Alerte

**June 30, 2009**

Senator Marjory LeBreton  
Leader of the Government in the Senate  
Senator James Cowan  
Leader of the Opposition in the Senate  
Senate of Canada  
Ottawa, Ontario

Dear Senators Le Breton and Cowan,

On June 11, shortly after the killings that took place in the Amazon area of Peru, our three civil society organizations wrote to you urging the Senate to halt Bill C-24, implementing legislation for the Canada-Peru Free Trade Agreement. We had every reason to expect that the Senate, often referred to as Canada's court of sober second thought, would have taken the time to investigate the reasons for the Indigenous protest in Peru that was dealt with harshly by authorities. The resulting deaths of protesters and police led to a serious political crisis in Peru including the resignation of the prime minister, the sudden revoking of controversial Amazonian development laws, and a nationally broadcast apology from the president.

However, with unseemly haste, the Standing Senate Committee on Foreign Affairs and International Trade issued a press release on June 17 announcing that the Senate had passed Bill C-24, which then received royal assent on June 19. With so much reason to delay ratifying the Canada-Peru FTA, we are left wondering what went wrong at the Senate.

After reviewing the transcript of committee proceedings we are appalled by the lack of concern shown by senators with the escalating crisis in relations between President Alan Garcia's government and Indigenous communities from the Amazon area. Comments show that all senators but one were more concerned about investor protections for Canadian oil and mining companies, and why Canada did not get as good a deal as the U.S. on pork and other agricultural exports, than they were with the fact that communities in the Amazon were protesting against the current and future presence of these very corporations on their ancestral lands.

Remarks by witnesses such as International Trade Minister Stockwell Day, who lauded the deal while indicating "great opportunities" for workers, producers and investors, went virtually unchallenged by committee members. But as NAFTA has taught us, farmers in particular can be hurt by free trade as cheap imports from the larger market (Canada and the U.S.) flood the host economy. Peru's Inca Empire

is often credited with being the cradle of the potato, and it remains today a key crop often produced on a small scale. Opening Peru up to an avalanche of Prince Edward Island potatoes may be good for McCain Foods, but it could undermine production and lead to lost livelihoods in Peru.

Government witnesses that appeared before the Senate committee assured Senators that the Labour Cooperation Agreement (the labour side deal) would guarantee that Peru abides by the core conventions on labour standards of the International Labour Organization (ILO). Although this in itself is debatable, the recent violence in Peru shows a complete disregard for ILO Convention 169 requiring prior consultation with Indigenous groups on legislative or administrative measures that will affect them.

Similar disdain was shown by the Peruvian government for the seven Indigenous legislators who have been suspended without pay, for themselves or their staff, until March 2010 for showing solidarity with the protesters. This leaves the Congress in Peru with no Indigenous representation for a year at a time when the government needs to establish new relations with those communities who had been previously excluded from development decisions.

Egregious human rights violations against Colombian workers, human rights activists and Indigenous peoples forced the House Standing Committee on International Trade (CIIT) to stall the passage of Bill C-23, implementing legislation for the Canada-Colombia Free Trade Agreement (CCFTA). Liberal, NDP and Bloc members of Parliament have agreed that an independent Human Rights Impact Assessment of that deal should be carried out before its ratification. Did the Senate not consider if such an assessment should also be carried out for the Canada-Peru FTA?

The Senate has acted with unconscionable haste and with an almost total disregard for the wellbeing of the peoples of Peru by rushing the passage of Bill C-24. The only "great opportunities" resulting from the Senate's hasty decision will go to Canadian investors and Peruvian economic elites. Canadians expect the government to promote fair and sustainable trade when reaching out to other countries – not corporate trade and investment treaties that put profits before human rights. We also expect our senators to provide that sober second thought that was so absent on its vote in favour of the Peru FTA.


Sincerely,



-----  
Jamie Kneen  
MiningWatch Canada



-----  
Stuart Trew  
The Council of Canadians



-----  
Rick Arnold  
Common Frontiers

CC: Senator Raynell Andreychuk  
Senator Eymard G. Corbin  
Senator Dennis Dawson  
Senator Pierre De Bané  
Senator Consiglio Di Nino, Consiglio  
Senator Percy E. Downe  
Senator Suzanne Fortin-Duplessis  
Senator Jerahmiel S. Grafstein, Jerahmiel  
Senator Frank W. Mahovlich  
Senator Hugh Segal  
Senator Peter A. Stollery  
Senator Pamela Wallin, Pamela

**LINK: Transcript of June 10 Senate Foreign Affairs and International Trade Committee hearing on Bill C-24 (Canada-Peru FTA)**

**Organizational bios:**

The Council of Canadians is one of Canada's largest citizens' organizations with 60,000 members and over 70 volunteer chapters across the country. The organization works locally, provincially, nationally and internationally to promote progressive policies on fair trade, clean water, energy security, public health care and other issues of social and economic concern to Canadians.

MiningWatch Canada (MWC) is a pan-Canadian initiative supported by environmental, social justice, Aboriginal and labour organisations from across the country. It addresses the urgent need for a co-ordinated public interest response to the threats to public health, water and air quality, fish and wildlife habitat and community interests posed by irresponsible mineral policies and practices in Canada and around the world.

Common Frontiers CF) is a multi-sectoral network of labour, human rights, environmental, student, church, international development, and other social justice organizations. It proposes the building of an alternative model for social and economic integration in the Americas as distinct from the discredited concept of 'free trade'. It is also the Canadian representative for the Hemispheric Social Alliance that is headquartered in Bogotá, Colombia.

**Please return mail to:**

Stuart Trew, Trade Campaigner  
Council of Canadians  
#210—116 Spadina Avenue  
Toronto, ON  
M5V 2K6