



PRESS RELEASE

The UN Human Rights Council will assess whether the Chinese government demanded its companies to respect the human rights in those countries in which they operate

*Organizations from five Latin American countries present the alternative report “**Assessment of the Extraterritorial Obligations of the People’s Republic of China by the Civil Society: Cases from Argentina, Bolivia, Brazil, Ecuador and Peru**”, which demonstrates that China systematically fails to comply with the obligation to “respect, protect and comply human rights” in 18 financed and built projects by Chinese institutions. The alternative report is a contribution for the Third Cycle of the Universal Periodic Review (UPR) of the People’s Republic of China, which will be held on November 6th in Geneva. It is subscribed by 21 social organizations and was presented to the Office of the United Nations High Commissioner for Human Rights, to assess whether the People’s Republic of China complies with a series of international conventions and treaties regarding human rights.*

The Chinese financing has become a determining factor for the enjoyment of the human rights of Latin American peoples. Between 2009 and 2017, the Chinese loans to the region reached US\$ 145 billion, overcoming the World Bank and the Inter-American Development Bank’s loans. By 2017, the Chinese direct investment overtook an accumulated US\$ 113.6 billion. Chinese loans and the direct investment, have been concentrated on the construction of energy and transport infrastructure and on projects related to the extraction of natural resources, both are socially and environmentally highly sensitive sectors. “These trends will deepen, given that China has committed billions to the region, and that along with the governments, China has agreed on several investment commitments”, says Marco Antonio Gandarillas of the Center of Documentation and Information from Bolivia.

After almost 10 years of a massive wave of Chinese financing in Latin America, it is worth asking: what consequences has this Chinese funding had on the lives of the communities where the projects are developed? For María Marta Di Paola of Environment and Natural Resources Foundation in Argentina, “the findings are devastating because of the critical damage caused to local communities and the environment”.

The report studies 18 projects, in which seven belong to the mining sector, six to the oil sector and five are hydroelectric projects. “The fact that 12 of these projects are located in the Amazonian region, 15 in indigenous territories, 11 in protected natural areas, and 5 in areas declared a World Heritage Site by UNESCO, demonstrates a complete lack of commitment from China to the environment and its ignorance on the rights of the indigenous peoples in the region”, argues Di Paola.

“The Chinese companies and financiers have violated indigenous peoples’ rights in many ways. The Chinese presence has only brought more destruction and sadness precisely to those who we owe the protection of the forests that are still standing”, points out Karla Sessin from the Collective Proteja Amazônia in Brazil. In the hydroelectric project of São Manoel in Brazil, operated by China Three Gorges, two sacred spaces of fundamental cultural value for the peoples Munduruku, Kayabi and Apiaka have been destroyed. The Collective on Chinese Financing and Investments, Human Rights and Environment (CICDHA, in Spanish) is integrated by the Center of Economic and Social Rights (CDES, Ecuador), Center of Documentation and Information (Bolivia), CooperAcción (Perú), the Environment and Natural Resources Foundation (FARN, Argentina) and the Collective Proteja Amazônia (Brazil).



Whereas in Bolivia and Ecuador three indigenous peoples in isolation are being threatened by the operations of China Petroleum Corporation Company, Sinopec and China National Petroleum Corporation.

Furthermore, the Santa Cruz dams in Argentina, with an investment of US\$ 4.7 billion (the largest Chinese investment outside China in the hydroelectric sector), will be built in the Patagonia region, where the highest ice concentration is placed (outside of the Antarctica) in the Southern Hemisphere. In Peru, where Chinese companies dominate the mining sector, the communities affected by China Minmetals Corporation in Las Bambas have lived, for more than two years, under repeated “states of emergency” issued by the Peruvian government without being able to exercise their rights to free association, free transit and free expression. State of emergency orders have also been popular in Ecuador and Brazil when national governments tried to frighten those who opposed Chinese projects. This had led to half of a dozen fatalities during confrontations with the military and police forces in Ecuador and Peru; as well as hundreds of people criminalized for defending their rights.

For Sofía Jarrín from the Center of Economic and Social Rights in Ecuador “bilateral cooperation cannot occur at the expense of the human and environmental rights of the communities that are precisely intended to be served with the projects”. Jarrín explains that according to international human rights law principles “China is obliged to respect the economic, social and cultural rights of the communities affected by its investments wherever they may be”.

“The companies that have invested in our countries have taken advantage of the weakness of the national laws and the complacency of the local governments. But at the end of the day, in the global context, the responsibility is not only the companies or the national governments’, but also of the States’ to which those companies respond to. This is why the Chinese UPR is a critical opportunity for China to listen to us, assume its responsibility and change”, states Julia Cuadros, from CooperAcción in Peru.

Finally, the report recommends China to: (i) incorporate the principles, conventions and treaties of human rights into its strategies, policies, plans and projects of investment in Latin America, and establish mechanisms to guarantee their implementation; (ii) ratify the 169 ILO Convention; (iii) conduct due diligence examinations on human rights along all the project cycle; (iv) set measurements for access to justice and reparation to the victims; and (v) abandon those projects that violate national laws and international instruments of human rights.

For the Collective on Chinese Financing and Investments, Human Rights and Environment, CICDHA (by its Spanish acronym), the “win-win relationship and South-South cooperation between China and Latin America, for the moment, are only in political speeches”.

WITH THE REQUEST FOR ITS DISSEMINATION

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