
Colombia: The slip-ups of the Forestry Bill in Colombia

Perhaps no other Bill in Colombia on environmental matters has given rise to such diverse opinions and to such commotion as the discussion in the Colombian Congress of the General Forestry Law adopted by this institution last December. The strength of the arguments and the response of Colombian environmentalism, social movements and even part of the mass media have been such that for the first time President Alvaro Uribe Velez returned a Bill to the Congress of the Republic.

The Bill was promoted under reasoning such as “how essential” are “conservation and sustainable management of natural forests in addition to the establishment of tree plantations,” for the development of the country, as the latter are a basic guide for the progress of the forest sector”. Furthermore, it was insisted that out of a potential 25 million hectares, some scant 150,000 have been afforested for commercial use, that is to say 0.006 per cent. The government has underscored that for this reason the Bill is of vital importance because the country’s vast forestry potential has not been harnessed. Perhaps these examples are sufficient to warn us, even in a minor way, on the forum where these arguments have been established. These phrases show that the defenders of the Bill are more concerned over trade aspects than over environmental conservation and protection.

Right from the start the arguments advanced by those defending the Forestry Bill have corresponded to commercial interests. They allege that the country’s forestry potential could be put to better use, thus improving monetary dividends and increasing employment. However, even in this context we can question whether the economic benefits that they are supposedly discussing are for the country, or on the contrary, whether there is a concealed interest in opening up the forests of Colombia for exploitation by multi-national companies. We already know who will benefit from the business with a bill intending to foster concessions with national and multi-national companies having the technical and extractive capacity to ensure modern and technically powered exploitation.

Furthermore, at this stage the question arises of whether the discussion regarding forestry matters can be subordinated to merely commercial reflections. That is to say, whether the context in which the debate on the Forestry Bill is set, can only be considered from a capital criterion. It would seem that this discussion should take place in a broader forum, where not only economic interests should be considered but ethical and existential ones too. This is an evident consequence when life has been understood as something sacred. However, during the process of the Bill’s debate in Congress, those defending it, among them the Government and in particular the Ministry of Environment, Housing and Land Development and the Ministry of Agriculture, rejected the opportunity to open up the debate and were content to systematically discredit their opponents.

The strategy of discrediting, during the debate on the Bill, took on various aspects, among them and perhaps the last, was by the Minister of Agriculture, consisting in affirming that the arguments of the opposition are merely a “Surrealist Mythology.” Perhaps we shall never fully understand the meaning (if it has one) of such an affirmation. Perhaps he only wanted to say that the reasons of the opposition have tried to materialise the encounter of reality with the world of dreams. The truth is that the clear and convincing arguments of the organizations which opposed the Bill were so many that the President of the Republic found himself obliged to return it to the Congress of the Republic with

11 articles of the Bill adopted by the National Congress objected to.

The fact is that there are many events that make this Bill illegitimate. In the first place the Afro-descendent, indigenous and peasant communities (who are the owners of over half the forests of the country) total lack of knowledge of this Bill. In spite of the constitutional right of Consultation that Afro-descendent and Indigenous Communities have, only a few fora were held, and the recommendations made were not considered. The Ministries of Agriculture and Environment alleged that, as these communities would not be affected negatively, it was not imperative to consult them.

The illegitimacy of the Bill can also be explained because the academic community, environmental organizations and sectors of civil society that work towards the protection of the environment were not allowed to take part either. Furthermore, the Congress of the Republic ignored the protests made by the Public Prosecutor and the Public Inspector.

In this way, step by step, the majority of the Congress ignored the voices of the people, the only voices capable of legitimizing any regulation. The Government has gone so far with this strategy that during the voting of the Bill in December 2005, the congress-people who opposed this Bill and who complained with a forceful voice time and time again, were never given the floor. Furthermore, a solicitude previously done requesting to vote article by article was given no attention. In this way Bill 264 was adopted, with 81 votes in favour, 11 against, channelling it to Presidential sectioning, where it has been annulled.

This brief report of the process, not only gives rise to serious doubts about the bill, but also about the strategies used to adopt it, leaving us with a bad feeling. In their attempt to discredit the opposition, they have completely ignored the others, showing their incapacity to create a broad forum for discussion, where not only economic and commercial criteria are considered, but also ethical and existential ones. It has been lamentable to see how this bill has been adopted. Some people who voted in favour admitted that they did not know what they were adopting nor were they able to define the meaning of the new concept "vuelo forestal" (which separates rights to land from rights to the forest cover), which is the hub of the project. This is evidently a "Surrealistic Mythology" concept as long as it separates the soil from the trees and other land elements; a separation of two elements as inseparable as the tree trunk and the soil that is its foundation, is only possible to understand in a dream. Perhaps here again we are only facing capitalist schizophrenia.

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