

WRITTEN TESTIMONY FOR THE RECORD
TO THE
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH AND HUMAN RIGHTS
UNITED STATES HOUSE OF REPRESENTATIVES
GIVEN BY
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I am Archbishop Pedro Ricardo Barreto Jimeno of the Archdiocese of Huancayo, Peru, and First Vice President of the Catholic Bishops' Conference of Peru. I would like to thank the Honorable Representative Christopher Smith, Chairman of the Subcommittee, and the Honorable Representative Karen Bass, Ranking Member, for the opportunity to give my testimony today.

I am not here as a political leader or as an economic expert. I am a religious leader, a bishop and a pastor, who, out of faithfulness to Jesus Christ, the Good Shepherd, is deeply convinced of the need to plow up new earth where the seeds of life, justice, and peace may be sown once again. I am also a Catholic pastor who is disturbed by the terrible human health and environmental consequences of the heavy metal smelter operations of Doe Run Peru in the town of La Oroya since 1997. La Oroya is in my archdiocese. I have visited the town often, I know the people there, and know very well their concerns, hopes, sorrows, and joys. This is a matter of grave concern, not just to the citizens and residents of La Oroya and of Peru, but of the world and, in particular, the United States. Doe Run Peru is a subsidiary of Renco International, a privately held entity owned and operated by United States citizens. The operation of the smelter, and the environmental and health degradation it has caused, reflects on the good name and reputation of the United States. My fellow witnesses—Dr. Fernando Serrano of the School of Public Health at the University of St. Louis in Missouri, and Mrs. Rosa Amaro, a citizen of La Oroya—and I are privileged and grateful to be able to speak to you of our work in La Oroya to protect the lives and health of its residents.

Since 2004, when I was appointed Archbishop of Huancayo, I have been very concerned about the health and environmental consequences of the operation of the smelter in La Oroya.

Frankly, I have been very critical of Doe Run Peru for its constant non-compliance with environmental standards as it operates this metallurgical complex. I have been the victim of death threats and hostility, directed at me in my role as bishop and pastor to my flock. Similar threats have been leveled against Mrs. Rosa Amaro who is also here today.

The Gospel and the Social Teachings of the Catholic Church call us to denounce the unjust and irresponsible attitude of Doe Run Peru, whose unsafe and uncompassionate way of operating is causing extreme suffering among the people, especially the children. The Church is not opposed to economic development or to mining, whether in La Oroya or elsewhere in the world. But, in being faithful to the principles and values of the Gospel of Jesus Christ, we believe that all economic activity must be at the service of comprehensive human development and the common good of society. Mining activity in particular must be conducted in ways that protect the health and the environment of affected communities. Catholic Social Teaching has consistently called for equitable and sustainable economic development. This has been the teaching of Pope John XXIII, Pope Paul VI, Pope John Paul II, and of our present day Pope Benedict XVI.

Pope Benedict, in his encyclical *Caritas in Veritate*, insisted, “The environment is God’s gift to everyone, and in our use of it we have a responsibility towards the poor, towards future generations, and towards humanity as a whole.”

In this same encyclical , Pope Benedict asserted that to function correctly, the global economy needs people-centered ethics to make it more just, stable, and equitable. The Pontifical Council for Justice and Peace has recently called for a new framework of international law and global regulation. It argues that the primacy of the spiritual and the ethical realm must be restored for the good of humanity. Such an approach will nourish markets and institutions that are at the service of the integrated human development of the person—all human beings—in search of the common good. The economy exists to serve the human person.

To achieve these goals, the Church has long held the view that greater international cooperation and supervision is necessary. Pope John XXIII, in his 1963 encyclical *Pacem in Terris*, observed that the world was heading towards ever greater unification or globalization. The development of a global economy demands the creation of a system of oversight for the universal common good of humanity. Consistent with these principles, the Catholic Church in Peru has a long tradition of encouraging the Peruvian Government and private mining operators to manage extractive facilities in safe and productive ways, respecting the rights of workers and of the people who live there, and taking care to protect the surrounding environment. This requires strict compliance with applicable health and environmental laws, in conformance with international standards and regulatory bodies. The Church’s mission of evangelization has played a key role in shaping consciences and in educating the public and affected communities on health and environmental issues in Peru. We are proud that independent groups of lay persons—including the Movimiento Para la Salud de La Oroya (MOSAO), whose distinguished representative, Sra.Rosa Amaro, you will soon hear—have grown as a result of the teachings and practices of Christian, Evangelical, Presbyterian, and Catholic Churches.

For many years, the smelter currently operated by Doe Run Peru in La Oroya has failed to conform to international or Peruvian legal and ethical standards. Located in the Central Peruvian Andes, the La Oroya metallurgical complex and smelter has contaminated the air, soil, and water of the town of La Oroya with airborne toxins since 1922. La Oroya is listed as one of the ten most contaminated places in the world. Initially this facility was operated by U.S. Cerro de Pasco Copper Corporation, and then it changed hands twice—to the State-owned Centromin Peru in 1974, and then to the U.S. based Doe Run Company in 1997. When the Missouri-based metal refining company Doe Run purchased the smelter in La Oroya, Peru, it agreed to make improvements to the facility and to comply with the environmental and health management plan (known as the “PAMA”), to significantly reduce these toxic emissions. Instead, after more than 15 years, with extensions granted by the Peruvian Government, Doe Run has not completed the project to reduce environmental contamination from lead, arsenic, cadmium and other pollutants.

Shortly, you will hear about some important studies, such as those undertaken by Dr. Fernando Serrano of the School of Public Health of Saint Louis University in Missouri, which provide clear evidence of high levels of lead, cadmium, arsenic, and other toxic metals in the bodies of residents in La Oroya. The studies indicate that there is an extremely serious environmental health crisis affecting La Oroya, especially in vulnerable populations such as young children. In or outside the womb, children are uniquely vulnerable to these toxic pollutants in the environment, which—even in small amounts—are linked to health problems, such as respiratory illnesses, cancer, heart disease, learning disabilities, brain damage, and other illnesses that adversely affect childhood development.

Dr. Serrano will also tell you about the positive effects on both the environment and the population of La Oroya as a result of the temporary suspension of the smelter operations since June 2009. Since that time, the levels of lead and other poisons found in the blood of affected children and adults in that area have decreased notably. Dr. Serrano will also describe the terrible human consequences that would follow if the smelter is allowed to renew its operations in an illegal and unhealthy way, in contravention of applicable Peruvian and international standards.

This is ultimately the reason all of us are here today, and why the three of us at this witness table have made long journeys to join you here in the illustrious chambers of the government of the United States of America. We are at a critical juncture, a fork in the road, in terms of the operation of the smelter at La Oroya. We need your help and involvement, and that of the United States Government. Let me explain why the timing is so important and urgent.

Since March of this year, Doe Run Peru has been in a process of liquidation, arguing that it lacks the financial resources to carry on its activities in La Oroya, despite what we understand to be the significant financial assets available to its parent company. Accordingly, the Board of Creditors is looking for a new operator to take over the activities of the smelter at La Oroya. Despite its insolvency, Doe Run Peru has already twice requested permission to reopen the facility, seeking exculpation from applicable environmental standards. Twice, the Peruvian Government has rejected Doe Run Peru’s application.

On July 26th, in just a week, the Board of Creditors will apparently consider once again the application of Doe Run Peru and those of other applicants who seek to become the new operators of the La Oroya facility. We hope that any new operator will abide by the applicable and well-established environmental standards. If it does not—as both Mrs. Amaro and Dr. Serrano will testify—there would be grave and severe consequences for the long-suffering population of La Oroya, my congregants, and their ability to escape from this hell they have been living in because of corporate greed and irresponsibility. The residents of the area, and I as their bishop and pastor, want people to be able to live with dignity as sons and daughters of God. Let me be clear: no company or entity, whether it is Doe Run Peru or any other affiliated or unaffiliated entity, should be allowed to operate the smelter in La Oroya while violating the environmental commitments made (years ago) through the Environmental Management and Remediation Program (PAMA, by its Spanish acronym). This is a critical condition for any operation of the facility, and failure to honor such a commitment will take us back to being one of the ten most contaminated communities in the world. No company should be allowed to poison the air, water, and soil, and ultimately, the men, women, and children of La Oroya.

It is also important to note that chapter 18 of the Free Trade Agreement between Peru and the United States of America demands rigorous compliance with environmental standards.

Your role as representatives of this great nation brings with it a great responsibility. The decision of some of your colleagues to support a just and comprehensive environmental solution for this smelter in La Oroya was widely reported in the press in Peru, and the people of Peru received the news with great joy and hope. We believe this news led to increased vigilance by the Government of Peru. Historically, Peru is a country where, lamentably, mining has often been done without proper consultation of the affected communities or sufficient environmental protections.

I am completely convinced that our presence here will be major news both nationally and internationally. The Congress of the United States has given a clear signal of solidarity in the path toward the authentic social responsibility of States, companies and society as a whole.

The Church is not opposed to mining or development, but it does ask the question: development for whom? Mining for the benefit of whom? At what cost? Development must be for all people. When it is not, violence and inhumanity occurs that does not permit economic growth with solidarity.

Surely the people of Peru, its workers and residents, must share in the benefits of the extractives industries and not be harmed by these activities. Environmental degradation renders the population ill, poisons the air and the rivers, and despoils otherwise fertile agrarian land so it can no longer be successfully cultivated.

We must act in a way that respects the life and dignity of all human persons, enables the proper participation of all Peruvian citizens, and reduces environmental degradation, conflict, and division. We must not allow the protections that have been established in pertinent free trade agreements to be manipulated by litigants (including multinational companies) to delay the

rightful adherence by each such party to the environmental, health and labor commitments that have been assumed.

As members of this esteemed Congress, you can play a vital and hope-giving role, in solidarity with the people of Peru, offering compliance with environmental standards and oversight so that human beings may live with dignity and recover a healthy environment.

As Archbishop of Huancayo, and on behalf of my suffering but hopeful people, I would like to express our confidence in the good will of this honorable Congress. I am sure that you will act to provide crucial moral leadership, which the people of La Oroya will experience through a just and equitable development of the resources that are the common patrimony of all human beings.

We are all in the same boat of life. That is why I call on you to act with determination and global solidarity as brothers and sisters and as fellow human beings.