

# **Drummond Coal Faces Dutch, Colombia Investigations**

## **Special Report: An Update From the Road on the Ongoing Investigations of Drummond Coal**

**by Stephen Flanagan Jackson**

AMSTERDAM, Holland, Oct. 11 - The Drummond Coal company of Alabama faces a barrage of lawsuits and international investigations in The Netherlands and in Colombia, sources say.

"We received a good reception from the Dutch congressman concerning our request for the government and Foreign Affairs Minister of The Netherlands to look into our charges involving the Drummond Co. claim-jumping our Colombia oil concession, and the Colombia government framing my brother, Henk (Hendrik van Bilderbeek)," Albert van Bilderbeek says

Van Bilderbeek is one of the two Dutch brothers who had a potentially lucrative Colombia oil concession stripped from him and his older sibling and investors. Recently in October, van Bilderbeek dispatched personally his grievance to The Hague. The scenic, historic Dutch center of government and international affairs sits some 25 miles southwest of Amsterdam in this table-flat, water-laden Lowcountry, one of Europe's most prosperous niches.

Drummond's president and CEO is Birmingham's Garry N. Drummond, a wealthy Alabama businessman and generous political campaign contributor - also a former trustee of the University of Alabama.

A Colombia lawmaker - from the district in Colombia where Drummond operates the world's largest open pit coal mine - also attended the meeting at The Hague with Representative Hans van Baalen of a Parliament foreign affairs committee, and Jochem de Groot, a foreign

policy advisor for the Dutch Parliament. The Colombian legislator pointed out that much of Drummond's Colombia coal transports throughout Europe after arriving via the nearby Rotterdam port.

Miguel Duran told van Baalen and de Groot that the Colombia Congress is investigating Drummond's overall activities in Colombia and would also investigate whether or not special favors were accorded Drummond in its takeover of the Llanos Oil concession "in record time."

Duran, who represents the state of Cesar in northeast Colombia - site of the coal mines and the untapped oil fields in question - reported to the Dutch solon that "in Colombia there is great concern that Drummond may be underreporting its coal production - and subsequently dodging its full royalties due Colombia - by laundering its gross revenues through the Cayman Islands."

Duran also mentioned that Drummond's "sweetheart deals with the Colombian government - especially on a railroad concession to transport the coal to the Puerto Drummond Caribbean port - as well as "influence peddling and bribes" are subjects of the Colombia Congress investigation.

"The report on Drummond should be ready in November," the veteran said, a 39-year-old politician, a lawyer by training and trade.

Albert van Bilderbeek alleges, " ...a set-up which involves the Colombia presidency, the Colombia president's top aide, and Drummond to take our Llanos Oil mineral rights and pass it on to Drummond." These charges are substantiated in a detailed affidavit obtained by a van Bilderbeek lawyer in Colombia. The younger van Bilderbeek also charges that they "arrested Henk on false charges of money laundering for the paramilitary and drug dealers also, and have

incarcerated him for two years without a trial or bond or even specific charges."

Albert van Bilderbeek presented certified testimony to van Baalen of a Colombia witness claiming the DAS (Department of Administrative Security) - Colombia's equivalent of the US FBI and controlled by the Colombia president - orchestrated the framing of van Bilderbeek and Llanos, and that the DAS fed incriminating and untrue information about Llanos to the US DEA. That key witness, Rafael Garcia, is currently in a Bogota prison facing charges of manipulating the DAS computer system as former DAS director of information technology.

Garcia, fearing for his life, is also a key and controversial witness in another case - a civil charge alleging wrongful deaths in a US federal court in Birmingham - levied against Drummond Co. in the 2001 assassinations of three of its Colombia labor union employees. The US judge has sealed Garcia's deposition in which he maintains that he saw a Drummond payoff to the "Bloque Norte" paramilitary in Valledupar, Colombia, for two of the three brutal killings. A jury trial is anticipated in November for that tort case in Birmingham, in which the Colombia labor union, SINTRAMIENERGETICA, is suing Drummond for wrongful deaths under the obscure 1789 Alien Tort Claims Act of the US.

"I want to help Dutch nationals get a fair shake and justice," van Baalen said, referring to the van Bilderbeek brothers' predicament. "I will ask the Dutch government to take this issue up with the Colombia government."

Speaking after the meeting with the MP (Member of Parliament) at The Hague, Albert van Bilderbeek said he is now planning three lawsuits.

"We will file in Colombia court to request Henk's release or at least to let him out of prison on bail or on house arrest," he revealed. "We will

also sue the Colombia government in Colombia in an effort to have our mineral rights restored or to receive compensation. As for the first lawsuit we filed in April, 2005 against Drummond in the US, we will re-file in a US court against Drummond for racketeering in a scheme involving the Colombia president (Alvaro Uribe), and his top aide, Fabio Echeverri, and Ecopetrol, the Colombia mineral-rights agency. Don't forget: Garry N. Drummond, the CEO, himself has admitted that Echeverri worked in Colombia for Drummond Co. for some 15 years."

"I , myself, fear for my own life if I go to Colombia now, and I would probably be arrested and thrown in prison with my brother," van Bilderbeek said.

According to van Bilderbeek, the Danish government has banned Denmark ports from receiving Drummond's Colombia coal in response to questions surrounding the unsolved murders of the Colombia union leaders. Van Bilderbeek said he would welcome similar action by the Dutch unions and Dutch government.

Van Bilderbeek is a tenacious, diminutive Dutchman. Van Bilderbeek said his Jewish family suffered oppression under the Nazi occupation and will not back down from what he terms as strong-arm tactics. Van Bilderbeek is majority owner and executive of the Llanos Oil Exploration Ltd. outfit which claims the Colombia oil field with a billion barrels potential.

Since receiving the former Llanos concession in December, 2003 near its La Loma coal mines, Drummond has discovered a lucrative natural gas field in the former Llanos Oil area - now Drummond's bailiwick which stretches for some 250,000 acres in Las Nieves "The Snows" region near the border of oil-rich Venezuela.

Van Bilderbeek charges Drummond with a "symbiotic and cooperative" relationship with both the Colombian military and right-wing paramilitary at the Drummond Co.'s \$500 million coal investment. The military connection - including payoffs - is validated directly by Garry N. Drummond, who acknowledges at least a half million dollars in "stipends" to Colombia military and police personnel.

The jailed Garcia - the "Colombia Canary" - affirms he is an eye-witness and ear-witness to Drummond's top man in Colombia, Augusto Jimenez, dealing with the paramilitary and its notorious right-wing death squads.

Drummond officials and lawyers vehemently deny claims that Drummond pays paramilitary troops in Colombia or was involved in any wrongdoing to obtain the oil concession or was complicit in the 2001 murders of its three Colombia union leaders.

In fact, president Uribe and Mr. Drummond met recently in New York City and Uribe issued a statement saying Garcia, the key witness, is lying because Drummond's Jimenez was out of Colombia at the time Garcia claims to have witnessed the paramilitary "payoff" meeting before the Colombia union killings. In the Llanos case, Colombian government officials characterize the van Bilderbeek arguments regarding losing its oil rights as sour grapes and retort that the Llanos executives are responsible for the problems which led to the jerking of the oil concession.

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