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Address: La Chorrera, Sub-district of Iturralde, La Colorada.

Submission: Secretariat for Environmental Enforcement Matters, Trade Promotion Agreement, United States-Panama filed an Environmental Submission for non-compliance with Article 17.8 of Chapter 7.

Standards considered to have been violated or not applied, if known: Law 47 of 1996 on Phytosanitary Protection Measures; Law 41 of 1998 requiring an Environmental Impact Assessment (EIA) prior to the execution of any work; Law 125 of 2020 approving the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters.

Subject: Agrochemical pollution and impact of water sources and biodiversity by the agricultural company Inversiones JPW, S. A. (Colorada Fresh Pineapple)

In January 2021, the Regional Directorate of Panama Oeste of the Ministry of Environment issued the Technical Report 010-2021 which in its technical analysis stated that the company Inversiones JPW, S. A. "does not have any environmental management instrument" for the start of operations. Despite this, in August 2021, the company intensified its clearing, plowing, planting and fumigation activities without informing or consulting the affected people in the community of La Colorada, Sub-District of Iturralde, District of La Chorrera, Province of Panama Oeste. In view of the complaints presented to the Ministry of Environment, a second inspection was carried out on September 20, 2021, in which findings of non-compliance were found again, as stated in the Technical Report 203-21; specifically, "it was evidenced that the company does not have any environmental management tool: Environmental Impact Study, nor Environmental Management Adaptation Plan. In note DER-628-2021, the Directorate of Agricultural Services Region 5 states that "there are no records of agrochemical products of the company INVERSIONES JPW, S.A." Even though the Ministry of the Environment issued a Stop Act Order on October 4, 2021, the company has continued to carry out its earthmoving, planting, harvesting and fumigation activities without interruption, despite what was established by the authorities and the opposition of the residents of the community of La Colorada expressed in a letter dated October 4, 2021. Susana Serracín filed a complaint on November 18, 2021 against INVERSIONES JPW, S. A., whose legal representative is James Gooden, as well as all the officials of the Ministry of Environment, whether by action or omission of their public functions, for


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the crime against the environment and land management to the detriment of La Colorada community. To the surprise of the sender (Mr. Moisés Montero), yesterday, Sunday, December 26, two people in a white Nissan Frontier vehicle showed up at his residence in La Colorada to inform him that Mr. Emiro Cordoba, who works for the Company, had filed a legal action against him according to Dossier 2021 00085173 that rests in the District Attorney's Office of the District of La Chorrera. Due to the background of this case, it is considered that this legal action may have an intimidating character in order to avoid the continuation of claims for the rights to health, to a healthy environment, to information and environmental justice enshrined in Law 125 of 2020 that ratifies the Escazú Agreement. Due to the haste with which this submission had to be presented, the corresponding evidence will be delivered in printed form at SALA's offices in Panama City.

In addition, J.P.W. S.A. has 40 to 50 hectares of pineapple plantations without an environmental impact study.

Jane Pino
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