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## FEATURED Q&amp;A

# How Can Mexico Stop Widespread Fuel Thefts?



Fuel thefts have proliferated throughout Mexico, and in some cases entire communities have become involved in the illicit activity. Above is a photo of a state-run Pemex fuel service station. // File Photo: Magister Mathematicae via Creative Commons.

**Q** The Mexican government on June 1 closed seven gasoline stations for allegedly selling petroleum and diesel fuel that was stolen from state-run pipelines, confirming for the first time that stolen fuel is being sold through official service stations. In early May, four soldiers and six gunmen were killed in a shootout over alleged fuel pipeline thefts in Puebla State. Have fuel thefts always been a problem, or are they on the rise in Mexico? What are the criminal and social dynamics involved? How can Mexico boost its security infrastructure for its fuel pipelines? What can the government do to otherwise stop the sale of illegally siphoned fuel?

**A** Luis Miguel Labardini, partner at Marcos y Asociados Infraestructura y Energía: "The theft of fuel in Mexico is a problem that has been brewing for many years. It reflects the lack of rule of law, particularly in certain areas of the country, and it has resulted in an industry in which entire communities have become involved, in one way or another. Pemex has devoted most of its investment to exploration and production, and only very limited resources have been used to improve the technology dedicated to detect pilfering. The main problem is not technology, which would be readily available if Pemex wanted to improve its surveillance of pipelines, but rather a judicial system that makes it very difficult to prosecute those who make a living out of stealing fuel. This practice not only involves the communities, but also organized crime cartels, which effectively threaten local authorities and Pemex officers to stay out of the way. The new legal framework of the oil industry in Mexico has evidenced that Pemex loses around \$1.2 billion

Continued on page 3

## TOP NEWS

## OIL &amp; GAS

## Former YPF Chief Held for Questioning

President Evo Morales on June 15 dismissed the former president of Bolivian state oil company YPFB, Guillermo Acha, over an allegedly flawed \$149 million contract to purchase drilling equipment.

Page 2

## OIL &amp; GAS

## U.S. Supreme Court Sides With Chevron in Ecuador Pollution Dispute

The U.S. Supreme Court denied an appeal by lawyer Steven Donziger, who has been trying to force Chevron to pay Ecuadorean villagers \$8.65 billion for pollution in the rain forest.

Page 2

## RENEWABLES

## Trump Proposes 'Solar Wall' on Mexico Border

Trump's speech marked the first time he publicly proposed the building of a "solar wall" as a means of paying for the structure.

Page 3



Trump // File Photo: White House.

## OIL &amp; GAS SECTOR NEWS

## Mexico Auctions Off Shallow-Water Oil, Gas Blocks

Mexico's government on Monday surpassed its own conservative expectations by successfully auctioning off 10 of 15 shallow-water oil and gas blocks to international oil companies, Reuters reported. The potential output from the blocks auctioned could total 170,000 barrels per day of crude equivalent, and investments could eventually reach \$8.2 billion, Energy Minister Pedro Joaquín Coldwell said. Twenty individual companies and 16 consortiums from 15 countries participated in the so-called "Round 2.1" auctions Monday, the fifth since Mexico launched its energy reforms opening the country's oil sector to foreign investment more than two years ago. Italy's Eni, Colombian state-owned oil company Ecopetrol and Capricorn Energy, a unit of Edinburgh-based Cairn Energy, were among the biggest bidders. Russia's Lukoil also won a block, as did a joint bid from France's Total and Royal Dutch Shell. Mexican state oil company Pemex won two blocks in Monday's bidding: one in consortium with Deutsche DEA Erdoel, and another with Ecopetrol, which entered Mexico for the first time though the auction. Mexico's oil production peaked in 2004 at 3.85 million barrels per day (mbd) and dropped to as low as 2.5 mbd last year, Rigzone reported. [Editor's note: See related [Q&A](#) in the April 21 edition of the Energy Advisor.]

## Former YPFB Chief Held for Questioning In Corruption Case

The former head of Bolivian state-run oil company Yacimientos Petrolíferos Fiscales Bolivianos, Guillermo Acha, was detained for questioning by prosecutors in La Paz over allegations of corruption, Reuters reported Tuesday. President Evo Morales on June 15

dismissed Acha over an allegedly flawed \$149 million contract to purchase drilling equipment. "We've seen that the procedures were bad, and the prosecutors will complete the corresponding process," Morales said June 15. "The contract has been annulled, so there is no economic loss due to the drill purchases." Morales named Óscar Javier Barriga as the new



Acha // File Photo: Bolivian Government.

president of YPFB. The contract had been with Italian drilling equipment company Drillmec, which was canceled in April after an energy ministry investigation revealed irregularities in the bidding process. Acha has repeatedly said he has no knowledge of the bidding process and says he is innocent. Acha voluntarily gave a statement on Monday when he was arrested and held overnight in prison, though his lawyer, Héctor Castellón, called the arrest "abusive and arbitrary." Castellón said Acha is being investigated for "anti-economic conduct," and due to contracts that were detrimental to the state, undue use of his position of influence, concealment and a failure to comply with his duties.

## Petrobras to Invest \$600 Million in Onshore Oil Field

Brazilian state oil company Petrobras is planning on investing \$600 million in its Carmópolis onshore oil field, the country's largest, in order to increase output, E&P Magazine reported Wednesday. The announcement comes as Petrobras looks to shed some 104 onshore oil fields in northeast Brazil as part of its larger divestment plan to help pay down its debt. The

## NEWS BRIEFS

## U.S. Supreme Court Sides With Chevron in Ecuador Pollution Dispute

The U.S. Supreme Court on Monday denied an appeal by New York-based lawyer Steven Donziger, who for more than two decades has been trying to force California-based oil company Chevron to pay Ecuadorean villagers \$8.65 billion for pollution in the Ecuadorean rain forest, Reuters reported. Though Chevron has not denied that the pollution occurred, it said it is not liable for the pollution, and has accused Donziger and his associates of bribing the judge presiding over the case in Ecuador. U.S. District Judge Lewis Kaplan in Manhattan barred enforcement of the \$8.65 billion pollution judgment in 2014. The New York-based 2nd U.S. Circuit Court of Appeals upheld Kaplan's decision last year.

## Colombia's ELN Bombs Caño-Limón Coveñas Pipeline, Halting Oil Flow

Colombia's National Liberation Army, or ELN, Marxist rebel group on Saturday bombed the country's second-largest oil pipeline, the Caño-Limón Coveñas, halting the flow of crude, sources from the Colombian military and state-run oil company Ecopetrol said, Reuters reported Tuesday. The bombing took place in the Saravena municipality of Arauca province. The 485 mile-long pipeline is operated by U.S.-based Occidental Petroleum Corp.

## Brazil Regulator Delays Ruling on Distributor Ultrapar's Purchase of ALE

Brazilian antitrust regulator Cade has postponed the deadline for ruling on the acquisition of fuel distributor Alesat Combustíveis, or ALE, by a unit of its rival, Ultrapar Participações, by 30 days, Reuters reported Thursday. Ultrapar's unit agreed to pay \$652.6 million for Alesat Combustíveis.

field has had nearly 54 years of activity. "The long period of production of the field is due to investments made to increase the recovery fraction, which is currently 22 percent. This per-

**The investment comes as Petrobras looks to divest its other onshore oil fields.**

centage is above the average level of similar fields with more than 50 years of activity," the company said in a statement. "It is expected that the final recovery factor of the field [will] reach 32 percent with investments planned over the next years." Carmópolis is located in Sergipe State in northeast Brazil, and has 1.76 billion barrels of oil equivalent reserves. The field has 1,056 oil wells and 13 production units.

#### RENEWABLES NEWS

## Trump Proposes 'Solar Wall' on Border with Mexico

U.S. President Donald Trump on Wednesday proposed topping his promised wall along the U.S.-Mexico border with solar panels, and using the electricity generated to help pay for the wall's construction, Bloomberg News reported. "Think about it, the higher it goes, the more valuable it is. Pretty good imagination, right, good?" Trump asked a crowd at a rally in Iowa. "My idea." One of Trump's main campaign promises was the construction of a border wall to stop undocumented immigrants from crossing the United States' southern border. His speech marked the first time Trump had publicly proposed the building of a "solar wall" as a means of paying for the structure, though it had been reported that he had previously proposed the idea to Republican members of Congress in a meeting at the White House on June 6. Trump's first full-year budget, which

was released last month, proposes a \$1.6 billion down payment to build new sections and replace other sections of a border wall. He has estimated that the wall would cost between \$8 billion and \$12 billion to build, though experts estimate it will cost much more.

## EDF Acquires 80% in Brazil Solar Project

French renewable energy group EDF Energies Nouvelles said it will purchase an 80 percent stake in a 115-megawatt solar project in

southeast Brazil from Canadian Solar, Kallanish Energy reported Tuesday. Canadian Solar will retain its 20 percent stake in the Pirapora II project and will manufacture the photovoltaic panels for the project. The price of the acquisition was not revealed. The plant has a 20-year power purchase agreement and is set to be commissioned in the first half of next year. Pirapora II will be located near the 191 MW Pirapora I solar project in Minas Gerais state, which is also being built by EDF Energies Nouvelles and Canadian Solar. The projects will produce a combined 300 MW of power, enough to provide for the energy consumption of 323,000 Brazilian households.

#### FEATURED Q&A / Continued from page 1

per year in stolen fuel, with a significant impact on the financials of subsidiary Pemex Transformación Industrial. Pemex cannot bear this burden any longer. The federal armed forces have directly intervened in recent months, resulting in an increase in violence between law enforcement and criminals. Law enforcement has also begun to identify the channels of distribution and sale of stolen fuels, which has resulted in the closure of several gas stations and the seizure of large volumes of stolen fuel. As the execution of the national energy reform advances in Mexico, decisions in the industry will tend to optimize results and value, and this will have an effect on the efficiency of surveillance and on the effectiveness of the fight against fuel theft."

**A Carlos Petersen, Mexico analyst at Eurasia Group:** "The recent fuel theft crisis that Mexico is facing is a very good example of the complexity and multifactorial nature of the security challenges that the country has ahead of it. As drug cartels grew in power, and their control and presence in many regions of the country increased, these organizations started to diversify their illegal activities, going from almost purely drug trafficking to other crimes, such as extortion, kidnapping and fuel theft. Also, to be able to tap the gasoline pipelines without blowing

up, criminal groups need the collaboration of employees working at Pemex. Through bribes, collusion and intimidation, some workers at the state-owned oil company helped to siphon pipes to extract the liquid, which then is sold by gasoline retailers,

**“New participants will have to invest in security and new technology and collaborate with Pemex to effectively protect their business.”**

— Carlos Petersen

which benefit from cheaper gasoline that is sold afterwards at higher prices. Finally, fuel theft became the main source of income for many communities (especially in the poor states of Veracruz and Puebla) that, when threatened to be stopped by the police and army, detonated the conflicts that were observed earlier this year. So, by understanding the complexity of the problem, the best strategy would be focused on tackling all of these issues at the same time. First, the government should be working to reduce the corruption within Pemex, but it also should protect its workers from the threat

Continued on page 6

## POLITICAL NEWS

## Brazilian Police Accuse Temer of Taking Bribes

Brazil's federal police force said Tuesday that investigators have discovered evidence that President Michel Temer received bribes in order to help businesses, the Associated Press reported. Plea bargain testimony by Joesley Batista, the former chairman of meatpacking giant JBS, led authorities to investigate Temer. On a recently released audio recording that was secretly made, Temer is allegedly heard endorsing the payment of hush money to jailed former Chamber of Deputies Speaker Eduardo Cunha. Temer has denied wrongdoing and has vowed to remain in his post. In the latest developments, federal police investigators said they have sufficient evidence of bribes being paid to Temer in order to warrant a formal probe of the president on allegations of "passive corruption." Rodrigo Loures, a former aide to Temer, directly received bribes from JBS on Temer's behalf, police alleged. In a previously released video, Loures is seen carrying a suitcase, purportedly containing \$150,000 in cash from JBS. Loures later handed the suitcase and most of the money to Brazil's federal police, according to authorities. A report by the federal police says Temer has refused to answer investigators' questions about the case. "Before the silence of the highest authority of the nation and his former special aide, the evidence obtained from the information in this probe remains unchanged and indicates, with vigor, the crime of passive corruption," the federal police report said. Temer is under investigation in connection with alleged crimes of corruption, obstruction of justice and being a member of a criminal organization, the AP reported. Last month, Brazilian Attorney General Rodrigo Janot said there were enough preliminary indications of wrongdoing to investigate the president. Temer arrived Tuesday in Russia for a two-day visit. It is one of Temer's few trips abroad since he succeeded impeached President Dilma Rousseff last year. Temer also suffered a political setback on Tuesday

## ADVISOR Q&amp;A

## What Is the Effect of Trump's Policy Shift on Cuba?

**Q U.S. President Donald Trump on June 16 announced a rollback of some parts of former President Barack Obama's thaw with Cuba by expressly prohibiting tourist travel to the island, restating the importance of the U.S. embargo with Cuba and banning Americans from conducting financial transactions with companies under the control of Cuba's military. What is the significance of the changes for Americans and for U.S. businesses? How will the changes affect Cuba? What are the reasons behind Trump's decision?**

**A Otto Reich, president of Otto Reich Associates LLC and former assistant secretary of state for Western Hemisphere Affairs under President George W. Bush:** "Asking why President Trump is rolling back some of President Obama's Cuba policies must be preceded by asking why President Obama promoted an opening so incompatible with U.S. values. Pretending to help Cuba's oppressed population, Obama sided with the oppressors. Obama said his policy was intended to 'empower' the Cuban people, but the one truly empowered by the 'historic opening' (a term the media repeated ad nauseam) was the military-industrial complex of a one-party communist state, with the United States getting nothing in return. Enjoying the long-sought diplomatic recognition of the world's leading democracy, the Castro dictatorship redoubled its political repres-

sion. More than 10,000 arrests of dissidents have happened since the 'historic opening.' Raúl Castro welcomed Obama to Cuba on his 2016 visit by openly beating a group of unarmed women who were marching silently on their way from Palm Sunday Mass. The leader of the free world did not protest this gross violation of human rights—or any other—because of his need to protect what he hoped would be seen as a rare foreign policy legacy. Trump's reversal of Obama's blunder will keep Americans from partnering with a military dictatorship's monopolies. Most Americans don't know that when they fly to Cuba, dock on a cruise ship, stay at a hotel, rent a car, buy gasoline or smoke a cigar, they are putting money into the pockets of entities like Gaviota, GAESA and the other government conglomerates that own Cuba's economy, some of which, in dynastic fashion, are run by Raúl Castro's son-in-law. Those dollars also fortify a Cuban military establishment that cooperates with fellow police states Syria, North Korea and Iran, and that supervises the lethal brutality of the Venezuelan security forces. Trump's action has just taken one important step to making the United States an ally of the oppressed in those countries instead of the oppressors."

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**EDITOR'S NOTE: More commentary on this topic appeared in the Q&A in Tuesday's issue of the daily Latin America Advisor.**

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as a Brazilian Senate committee rejected his labor reform bill, Reuters reported. Despite the legislation's defeat in the social affairs committee on a 10-9 vote, the bill will still move to the Senate's constitutional and justice committee before heading to the full Senate for a vote,

Sen. Ricardo Ferraco, who drafted the bill, told Reuters. The bill is likely to be approved by the end of the month, he said. The defeat of the legislation in committee, however, shows an erosion of congressional support for Temer amid the corruption allegations against him,

## NEWS BRIEFS

## Peruvian Finance Minister Resigns After Losing No-Confidence Vote

Peruvian Finance Minister Alfredo Thorne resigned Wednesday after the country's Congress voted to censure him amid claims he offered a high-ranking official a larger budget if he approved a plan for a controversial airport project. President Pedro Pablo Kuczynski has not yet named a replacement for Thorne.

## Brazil, Russia Agree to Stronger Ties on Foreign Policy Issues

Brazilian President Michel Temer met with Russian President Vladimir Putin on Wednesday, during which the two leaders signed a statement on "strengthening a strategic dialogue on foreign policy issues." The statement says the two countries will make an effort to contribute to "more fair, democratic and multi-polar international relations based on a central role of the United Nations, the primacy of international law and collective action." After the talks, Putin said Russian energy and transport companies hope to expand operations in Brazil.

## Chilean Court Rules Frozen Assets Be Returned to Pinochet's Family

A Chilean appeals court has ruled that the \$4.8 million in cash and assets that were frozen during a legal investigation of the late dictator Augusto Pinochet should be returned to his family, Agence France-Presse reported Thursday. The ruling was split and could be appealed. The assets were seized as part of the so-called Riggs case in 2004. In the same ruling, six retired officers were acquitted of charges that they had misappropriated public funds, reversing a 2013 ruling that said the officers who had served in the Chilean Military House could have helped Pinochet hide his fortune in Washington's Riggs bank.

the wire service reported. That loss of support could make it more difficult for Temer to push through other reforms needed to invigorate the economy. "The labor reform can still be approved, but this defeat shows the government will have a really hard time to approve its landmark pension reform," Juan Jensen a partner at 4E Consultoria in São Paulo, told Reuters.

## Venezuelan Foreign Minister Resigns

Venezuelan Foreign Minister Delcy Rodríguez resigned Wednesday in order to run for a seat in the new constituent assembly, which will be tasked with rewriting the country's Constitution, Reuters reported. "She truly deserves the recognition of the entire country because she has defended Venezuelan sovereignty, peace and independence like a tiger," President Nicolás Maduro said during his announcement of Rodríguez's resignation. The election for the controversial new body is set for July 30. Opposition members are planning to boycott the vote, which they say will be rigged in Maduro's



Rodríguez // File Photo: Venezuelan Government.

favor. Maduro has said that a constituent assembly is necessary to rewrite the Constitution, overriding other institutions, in order to stabilize the country amid its long-running political and economic crisis. In nearly three months of anti-government protests, 75 people have been killed. Rodríguez's resignation came as foreign ministers from throughout the Americas failed to agree on a resolution for a plan to mediate the crisis between Venezuela's government and its opposition during the Organization of American States' General Assembly meetings in Cancún, the Associated Press reported Wednesday.

## ECONOMIC NEWS

## MSCI Declines to Upgrade Argentina From Frontier Status

U.S. index provider MSCI declined to upgrade Argentina from the status of "frontier" to "emerging" market on Tuesday, much to the surprise of investors, The New York Times reported. The South American country's shares will remain in the smaller frontier markets index, where the country has been classified

**The irreversibility of the relatively recent changes still remains to be assessed.**

— MSCI

since 2009. The decision was a blow to Argentine President Mauricio Macri's government, which has been implementing wide-ranging market-friendly policies since he took office at the end of 2015. MSCI said it had decided to delay its upgrade for Argentina because while Argentina's "equity market meets most of the accessibility criteria for Emerging Markets, the irreversibility of the relatively recent changes still remains to be assessed," the Financial Times reported. Argentina must now wait another year before it can be reviewed for an upgrade to emerging-market status. The country was downgraded to frontier status in 2009 because of foreign exchange controls implemented under former President Cristina Fernández de Kirchner. On Monday, the country issued a \$2.75 billion "century bond," but a sell-off many now take place in the wake of MSCI's decision, because investors had likely purchased the bond with the expectation that the country would be upgraded to emerging-market status. Analysts predict that Argentina will suffer a setback from the decision, at least initially. "We think Argentina could be initially hit, because the expectation for the inclusion was pretty high," said Lucy Qiu, emerging market analyst at UBS Wealth Management, The New York Times reported.

## FEATURED Q&amp;A / Continued from page 3

of criminal organizations. Second, better living conditions and more opportunities for the communities that find their main source of income in fuel theft is a key aspect. Finally, implementing the energy reform, and promoting the participation of new actors in the sector, will also be a way to help reduce the problem. New participants will have to invest in security, new technology and to collaborate with Pemex to effectively protect their business. If the government is acting creatively, implementing the rule of law and collaborating with the private sector, then the issue can be solved, or at least lessened."

**A** **Benjamín Torres-Barrón,** head of the energy, mining & infrastructure practice group at Baker & McKenzie in Mexico: "In Mexico, fuel theft is affecting the pipelines owned by state-owned Petróleos Mexicanos, or Pemex, and/or other truck carriers. This activity often occurs in areas near Pemex refineries. According to information published by *Expansión* magazine, Pemex registered the first fuel theft back in 2000. Over the last decade, such thefts have dramatically increased at a rate of more than 40 percent per year. In principle, this activity has two major effects: first, Pemex is assuming the costs generated by the thefts in its network of pipelines, and second, the final users are facing higher prices. The Mexican government has reacted to prevent

the illegal sale of fuel by canceling the franchise contracts of the Pemex retail gas stations, showing irregularities in the trade of fuel and/or certain tax and accounting in-



**This is a serious challenge to resolve."**

— Benjamín Torres-Barrón

consistencies. Moreover, Mexico should: 1) expand and improve the fuel infrastructure to provide more security of transportation; 2) strictly apply the 'Federal Law to Prevent and Penalize the Crimes Committed in the Hydrocarbons Sector'; and 3) introduce and implement information and communication systems with high technology to detect the precise moment of the fuel thefts. This is a serious challenge to resolve. The fuel thefts present a complex situation where different parties and groups are involved and jointly collaborate to create an informal fuel trading market. Mexico should take immediate actions to provide certainty for those investors interested in the fuel transportation business."

*The Advisor welcomes comments on its Q&A section. Readers can contact editor Gene Kuleta at [gkuleta@thedialogue.org](mailto:gkuleta@thedialogue.org).*

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