

WHY WE OPPOSE THE COLOMBIA FTA

The Colombia Free Trade Agreement (FTA) is a Continuation of Bush's Failed Trade Policy:

The U.S. economy is in a recession, and all signs indicate that matters will only get worse. So what does President Bush recommend to turn the struggling economy around? Answer: The U.S.-Colombia FTA. The U.S.-Colombia FTA represents another bad idea by the Bush Administration, a “free trade agreement” with a country notorious for its abysmal human rights and labor rights record.

The Bush trade agenda has contributed to a trade deficit of over \$708 billion in 2007. It isn't just low-wage or labor-intensive production that has moved—we are losing ground in advanced technology products, autos and even aerospace. Tradable services—from call centers to legal research to airline maintenance—are also increasingly being off-shored. In the past five years, American workers have lost almost 3 million manufacturing jobs, many due to the failures of our trade policy.

Violence Against Trade Unionists:

It is common sense that workers will have more respect on the job and better wages and benefits if they can form a union. However, in Colombia, joining a union or advocating for workers rights can be a de facto death sentence. Seventeen unionists have been murdered in just the first three months of 2008 – a rate of over a week. In 2007, thirty-nine unionists were murdered in Colombia. In addition, eleven unionists were victims of attempted murder, and 224 received threats.¹ There is no question that the continued murder and threat of murder has a chilling effect on union activity. Thus, workers will be unable to share in any potential benefits of trade if they fear for their lives when they exercise their fundamental labor rights.

Impunity – Killers Rarely Pay for their Crimes:

The Office of the Attorney General reports that it has secured convictions in only 68 cases related to violence against trade unionists from 2001 to the present. Impunity still hovers around 97 percent! Even more alarming is the fact that just over half of those sentenced are actually in custody. It is therefore inaccurate to say that convictions in those cases signal an end to impunity, as nearly half of the convicted assassins have yet to be caught and may still be at large.

Legal Process Politicized:

Last year, the government named three special judges to preside over cases related to violence against trade unionists. However, the judiciary has already removed one highly qualified judge, Judge Sanchez, for still unexplained reasons. Of note, it was this judge who issued an important ruling that sentenced officers of the 18th Brigade of the Colombian Army for murdering three union leaders in the department of Arauca. The judge found that these officers had planted guns in their hands of the unionists to make it appear that the victims were members of the guerrilla organization, ELN. This decision put the judge directly at odds with President Uribe, who continues to accuse these and other unionists of being guerrillas.

¹ Roughly 2,550 unionists have been murdered in Colombia from 1986 to the present.

Failed Demobilization Contributes to More Anti Union Violence:

The government has on the surface taken some steps to combat paramilitaries – the well-organized and armed groups that have, along with the guerillas, terrorized Colombian society. However, a flawed demobilization has contributed to former paramilitaries creating new and dangerous illegal armed groups with thousands of members. Many of these groups continue the legacy of the paramilitaries, including narcotics trafficking, extortion, forced displacement and assassinations, and are embedding themselves into the political framework of the country. These groups, such as the "Aguilas Negras" (Black Eagles), are responsible for some of the death threats against trade unionists in 2007-08. Indeed, the Aguilas Negras assumed responsibility for several death threats against members of SINALTRAINAL, the trade union representing food and beverage workers in Colombia and the members and leaders of Union Sindical Obrera (USO), which represents workers in the oil industry.

Labor Laws Inadequate and Not Enforced

Reports from respected international organizations, such as the U.N.'s International Labor Organization (ILO), show that the laws of Colombia fall far short of the core labor rights, considered a *minimum* set of rights to be guaranteed by all countries regardless of level of development. The government has also systematically failed to enforce those laws. In many cases, the government refused to register unions on spurious grounds or revoked a registration at the request of an employer that opposed the presence of unionized workers in its workplaces. Many others workers have described the poor wages and working conditions that are the norm in labor cooperatives – where workers are falsely designated as “cooperative owners” and thus not allowed to unionize.

Union density in Colombia today is less than 5 percent, and fewer than 2 percent of Colombian workers are covered by collective bargaining agreements—down from 15 percent twenty years ago.

Unionists and Human Rights Defenders Demonized by Uribe Administration

The president and his top advisors continue to accuse workers falsely of linkages to insurgent groups, putting these workers in extreme jeopardy. In March 2008, for example, several of the human rights defenders, trade unionists and community leaders who helped to organize a national march for peace received death threats and at least two march organizers, who were also union leaders, were killed. The repeated remarks of one of President Uribe's top advisors, Jose Obdulio Gaviria, suggesting that the rally was organized by the FARC, helped create the atmosphere in which these threats and murders took place. President Uribe took no action to disavow these remarks, nor was Mr. Gaviria sanctioned in any way for his false and dangerous remarks.

The AFL-CIO stands in solidarity with our brothers and sisters in Colombia in opposition to violence against trade unionists, for justice and for the rights of workers in both Colombia and the United States to organize and bargain collectively without fear of firing, without fear of retribution and certainly without fear for our safety. **The AFL-CIO is strongly opposed to the Colombia FTA and will mobilize the resources of the federation to defeat it.**

For more information, contact the AFL-CIO at (202) 637-3904