



*Letter from USW President Leo Gerard
February 2008*

Dear Speaker Pelosi and Leader Reid:

I am writing regarding the recent AFL-CIO delegation to Colombia. While I unfortunately was unable to go to Colombia as a consequence of an urgent health issue, the USW was represented on this trip by Associate General Counsel Dan Kovalik who has a great deal of experience with the Colombian labor situation, having traveled to Colombia fourteen times in recent years. I was thoroughly briefed by Mr. Kovalik upon his return.

The union delegation to Colombia met with the leaders and numerous members of all three major union confederations in Colombia – the CUT, CGT and CTC, which collectively represent around 217,000 workers – as well as the confederation of pensioners (the CPC). Despite intimations to the contrary by some members of the U.S. Congress, all four of these major confederations are unanimous in their opposition to the Colombia Free Trade Agreement. The members of the AFL-CIO delegation found out why on their trip to Colombia.

Representatives of Colombian unions told of how unions in Colombia are disappearing – both as a result of overt anti-union = violence as well as legal maneuvers by the current Uribe Administration. Consequently, only a mere 60,000 out of 18 million Colombian workers (less than 1%) are protected under a labor contract.

In regard to anti-union “legal” maneuvers, the Uribe Administration – in clear violation of the core labor standards of Conventions 87 & 98 of the ILO (conventions which Colombia has ratified) -- has stripped thousands of workers of their bargaining rights by legislation which denies public sector workers the right to bargain collectively; delaying, denying and taking away the registration of unions without cause; denying the right to bargain to temporary and cooperative workers as well as to subcontractors; allowing the blacklisting of trade unionists and union supporters; and denying the right to strike to numerous workers, including our fellow union workers in the oil industry. As to this latter issue, Congressman Wilson Borja explained to the union delegation how the Uribe Administration is labeling more and more segments of the economy, such as the oil and other extractive industries, as “essential” and thus immune from the legal right to strike.

Moreover, it is those relatively few remaining workers who are protected by labor contracts who are being targeted for assassination in Colombia. In short, there are significantly fewer union workers in Colombia left to kill, but they are still being killed. Just this year, five (5) unionists have already been killed.

While I cannot recount all of the heart-wrenching stories the delegation heard about lives destroyed by the continuing anti-labor assault in Colombia, I wanted to at least give you a sample of such stories.

For example, members of the Sintraemcali union (the union of the Cali municipal workers), many of them women, took a long bus ride just for the opportunity to meet with the delegation in Bogota. These individuals

told the delegation how 51 of the most active unionists, including themselves, were fired in retaliation for their challenge to President Uribe's plan to privatize the public services of Cali and to consequently wipe out the Sintraemcali union. With tears in their eyes, these workers related how they are now destitute and struggling to survive as they continue to fight for their jobs through the Ministry of Social Protection. Meanwhile, a number of Sintraemcali members have been assassinated in the course of this anti-privatization struggle, while others have been abducted, exiled, arrested and imprisoned. Those arrested and imprisoned were accused by the state of "terrorism," only for those charges to be later dropped for lack of evidence.

(More on that type of state stigmatization of unionists below.)

It is worth noting that leaders of the Sintraemcali union, as well as one of their chief allies in Congress, Alexander Lopez (with whom Dan Kovalik also met), were the targets of something known as "Operation

Dragon" – a plan to "neutralize," which in some cases meant to kill, key social leaders associated with the anti-privatization struggle in Cali.

It turns out, according to one of the authors of this plan, (Ret.) Lieutenant Colonel Julian Villate, that this plan was fully sanctioned by President Uribe's Ministry of the Interior as well as the DAS. Curiously, while Mr. Villate was found with the detailed plans of "Operation Dragon" on him, he remains at large, continuing to work for the Drummond Coal Company in the State of Cesar. Meanwhile, Congressman Alexander Lopez continues to receive death threats; the 51 fired Sintraemcali unionists remain unemployed; and, according to the Fiscalía's office, Julian Villate was the author of a plot to murder Senator Gustavo Petro (who also met with the delegation) just last year.

In the course of the trip, the delegation also heard from unionists about how the Colombian military entered the offices of Telecom to forcibly eject 8,000 workers from their jobs after President Uribe illegally liquidated this state-run telephone company by decree. The delegation also heard about the heroic struggle of workers in the flower sector (which employs a total of 100,000 individuals) to try to unionize, only to be crushed by Dole Foods which went so far as to close its largest flower plantation in order to destroy the unionization campaign.

We note that Dole Foods has yet to suffer any sanction as a consequence of its being credibly accused last year of making regular payments to the illegal AUC paramilitaries. Indeed, Dole was named as the point company which actually collected the payments from all of the banana companies in Antioquia and passed them along to the AUC. **This connection between the banana companies and the AUC is important in considering the Colombian FTA which, as written, will greatly benefit large landowners such as the multi-national banana companies as well as paramilitaries who have laundered their drug monies through the purchase of large tracks of land.**

In addition to unionists, the delegation met with numerous Congressional leaders. For example, the delegation met with Orsinia Polanco Jusayu, the representative of the **Indigenous Peoples of Colombia**, who told of her opposition to the FTA on the basis that she believes this agreement will lead to the further loss of land by indigenous peoples to multi-national companies. Ms. Polanco also related the strange story of how a group of indigenous leaders were brought to Washington D.C. by President Uribe last year on the pretext that they were to tell Congressional leaders about the issues confronting indigenous peoples in Colombia, only to find out that they were actually brought to Washington to lobby in support of the FTA – an agreement which they actually oppose. A number of these indigenous representatives left the trip early when they found out about the true purpose of the trip.

Finally, I wanted to tell you about the delegation's meeting with President Uribe – a meeting in which Uribe revealed his true, and at the same time shocking, view of unionists in Colombia. Thus, during this meeting, Mr. Kovalik told President Uribe of the delegations' concern about dangerous stigmatization of unionists by Colombian companies, the government and military. In the course of this discussion, Mr. Kovalik recounted a conversation he had with a colonel of the Colombian Army's 18th Brigade (Colonel Medina) shortly after this Brigade shot and killed three trade union leaders near Saravena in August of 2004. The Colonel stated that he

knew he was required as an army officer to protect trade unionists as he would all citizens. However, he claimed that many unionists were in fact guerillas – a claim which is untrue but which makes unionists fair game for attacks by the military.

In response, President Uribe said that he meets with unionists every month and that many of them have good hearts. Like the colonel, however, Uribe followed up this statement with a pregnant “but.” He said it was his experience as a student (decades ago) that a tactic of the guerillas was to infiltrate the union movement, the student movement and the press. Then, he claimed that, by the way, those three unionist killed in Saravena were in fact guerillas linked to the ELN (one of the left wing guerilla groups). Mr. Kovalik openly disagreed with the President, pointing out that his own attorney general (Mario IguarEIn, with whom the delegation also met) had concluded after investigation, that this was not in fact true, and that the 18th Brigade had actually planted weapons on the unionists after the fact to make it look like they were insurgents killed in a gun battle. In response, Uribe said that he had gone to Saravena personally and that (unnamed) members of the community had assured him that the three killed were, in fact, members of the ELN.

Further, in the course of his meeting with the delegation, President Uribe attempted to downplay the murders of the five unionists killed so far this year (almost one every week) by claiming, as he so often has done, that they were all, in fact, killed in the course of petty robberies or in domestic disputes. Unlike his own Attorney General Mario Iguaran did, Uribe simply refused to acknowledge to the delegation that they, as the other unionists killed in Colombia, were killed precisely because they were trade unionists.

In the end, President Uribe’s comments revealed precisely why the murders of unionists continue – because of the stigmatization of these unionists by the highest ranks of the Colombian government, including the President himself.

Madame Speaker and Leader Reid, I cannot tell you how concerned we are about the continued fate of workers and unionists in Colombia. This concern drives our continued, vigorous opposition to the Colombian FTA – an opposition we share with all three trade union confederations in Colombia. I urge you, on behalf of the Colombian and U.S. labor movements, to continue your great work in preventing this agreement from ever coming to a vote on the floor of Congress.

Thank you.

Sincerely,

Leo W. Gerard
International President
UNITED STEEL WORKERS

