



President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington DC 20500

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February 22, 2011

RE: The Proposed United States-Colombia FTA

Dear President Obama,

We write to express our sustained concerns with the U.S.-Colombia Free Trade Agreement (FTA). With the pending passage of the FTA, we urge you to evaluate the ongoing human rights crisis in Colombia today, considered a requirement for moving forward with the FTA. It is the assessment of our partners, including labor and grassroots Afro-Colombian organizations, that such minimum requirements have not been met. TransAfrica Forum similarly remains deeply alarmed about the workers rights, human rights and territorial rights for Afro-Colombian communities and groups.

Nicole Lee, Esq.
PRESIDENT

These concerns include: continued attacks against labor leaders and human rights defenders, including the murder of at least 42 unionists and death threats against nearly 300 unionists in 2010 with significant impunity; government ineptitude to protect Internally Displaced Persons (IDPs) including limited implementation of Colombia's Constitutional Court Orders 005 which outline how Afro-Colombian communities can better participate in the policy creation and revision; and ongoing violations of Afro-Colombian's Constitutional right to previous consultation.

Both workers rights and Afro-Colombian human rights grassroots organizations have outlined minimal specific steps that must be taken to resolve the outstanding issues. These would include:

1. Implementation of constitutionally-mandated free and informed previous consultation regarding any project related to or affecting Afro-Colombian territories;
2. Ensure that autonomy and governance structures (including Community Councils) are respected and included in any decision making processes;
3. Ensure that the labor law is compliant with international core labor rights, that no workers are excluded from its coverage, and that the law is effectively enforced.;
4. Undertake thorough investigation and prosecution of the backlog of cases regarding violence against trade unionists and human rights defenders, including all material and intellectual authors and beneficiaries; and
5. Integrated and diverse economic development which supports a livable wage, local markets, bio-diversity and food security.

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President Santos and Vice President Garzon have publicly condemned the human rights violations in Colombia and committed to addressing the situation. Unfortunately, such a change has not taken place on the ground as labor and human rights violations as well as forced internal displacement continue unabated.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole C. Lee". The signature is fluid and cursive, with a large initial "N" and "L".

Nicole Lee, Esq.
President
TransAfrica Forum

CC: Ron Kirk, U.S. Trade Representative
Representative Dave Camp, Chairman of the House Committee on Ways and Means
Representative Sander Levin, Ranking Member of the House Committee on Ways and Means
Representative Kevin Brady, Chairman of Subcommittee on Trade, House Committee on Ways and Means
Representative Jim McDermott, Ranking Member of the Subcommittee on Trade, House Committee on Ways and Means
Representative John Kline, Chairman of the House Committee on Education and the Workforce
Representative George Miller, Ranking Member of the House Committee on Education and the Workforce
Representative Phil Roe, Chairman of the Subcommittee on Health, Employment and Labor, House Committee on Education and the Workforce
Representative Robert Andrews, Ranking Member of the Subcommittee on Health, Employment and Labor, House Committee on Education and the Workforce
Senator Max Baucus, Chairman of the Senate Committee on Finance
Senator Orrin Hatch, Ranking Member of the Senate Committee on Finance
Senator Ron Wyden, Chairman of the Subcommittee on Trade, Senate Committee on Finance
Senator John Thune, Ranking Member of the Subcommittee on Trade, Senate Committee on Finance
Senator Tom Harkin, Chairman of the Senate Committee on Health, Education, Labor and Pensions
Senator Michael Enzi, Ranking Member of the Senate Committee on Health, Education, Labor and Pensions