

9 December 2009

Re: Colombia – Death threats against leaders of trade unions Sinaltrainal and CUT Santander

Leaders of trade unions in Colombia are in danger following a series of death threats. In particular, Mr **Luis Javier Herrera Suarez** has received threats that he will be killed if he does not resign from his post as National President of **Sinaltrainal**, the National Workers Union of the Food Industry of Colombia. Sinaltrainal are involved in an ongoing campaign for better employment conditions for workers in Colombia, particularly with Coca Cola, in relation to an industrial dispute with the company who refuse to sign a collective agreement with employees.

On 24 November 2009, Luis Javier Herrera Suarez received a call on his mobile telephone from a person who identified himself as Arnoldo Jimenez. Luis Javier Herrera Suarez had been given the mobile phone by the Ministry of Justice as part of the protection programme provided for trade unionists by the Ministry. The man calling himself Arnoldo stated, "You have up until the 22nd of December to resign from your position in the Union. There's not going to be a second call". When Luis Javier Herrera Suarez asked what he meant, the caller replied, "Don't pretend you don't know what I'm talking about", and hung up.

This death threat followed others previously made through Sinaltrainal's offices. In one such telephone call to the office an unknown person said, "Javier must take care of his life". A fax was received at the office on 20 November 2009 which stated, "Coca Cola has a very close relationship and influence with the Government and with Alvaro Uribe's family [the President of Colombia]". Later an unidentified man called to confirm the contents of the fax.

On 25 November 2009, a death threat was received in Sinaltrainal's Bucaramanga Office, which is located within the headquarters of the United Central Workers Santander (*la Central Unitaria de Trabajadores – CUT*). It stated, "A military operation will be carried out against guerrillas and the Bolivarian Movement. We will finish with the terrorists that damage the image of Coca Cola Copetran.... they keep quiet or die" ("Se llevará a cabo un operativo militar contra guerrilleros y movimiento bolivariano. Acabaremos con los terroristas que le hacen daño a la imagen en coca cola copetran.... se silencian o muerte"). The threat went on to name Luis Garcia, a worker in Coca Cola and the President of the Bucaramanga Section of Sinaltrainal, and David Flores and Cesar Plazas, both members of the Executive Committee of CUT Santander.

The death threats are thought to be related to Sinaltrainal's criticism of the commercial agreement between Coca Cola and the Uribe family. The death threats were received within days of the Inter-American Commission of Human Rights' request for increased precautionary security measures for Sinaltrainal members by the Colombian authorities. The Bucaramanga threats also followed a day of protest by Sinaltrainal members outside the premises of the company Copetran against its anti-union behaviour and against the assassinations of, and threats against, union leaders.

The threats also follow a tour of Australia by the leader of Sinaltrainal's Medellin branch, Mr Duban Velez, who has spoken out on the treatment of Coca-Cola's workers in Colombia. On 26 November 2009 he spoke at the annual meeting of BHP Billiton, the world's largest mining company, to highlight concerns over the treatment of workers at its Cerrejón coal mine, the largest

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mining operation in Colombia, and the forced relocation of indigenous communities.

Violence and intimidation of trade union and labour rights activists is common in Colombia. It has been reported that to date 31 trade union organisers have been murdered in 2009. Members of Sinaltrainal have been receiving death threats for some time: Gustavo Gómez, a member of the union, was shot and killed on 21 August 2009. His cousin, José de Jesús Marín Vargas, also a member of Sinaltrainal, was killed in the same municipality on 22 November 2007.

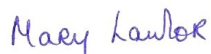
Front Line believes that the death threats against Luis Javier Herrera Suarez, Luis Garcia, David Flores, Cesar Plazas and all trade union members are directly related to their work in the defence of human rights, and that they form part of a pattern of ongoing harassment against human rights defenders in Colombia. Front Line is seriously concerned for the physical and psychological integrity of aforementioned human rights defenders.

Front Line urges the Colombia authorities to:

1. Carry out an immediate, impartial and thorough investigation into the death threats against Luis Javier Herrera Suarez, Luis Garcia, David Flores and Cesar Plazas with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
2. Guarantee the physical and psychological security and integrity of the aforementioned human rights defenders and of all trade union leaders at risk;
3. Ensure that all human rights defenders in Colombia, carrying out their legitimate work in the defence of human rights, are able to operate free of restrictions and reprisals.

Front Line respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw attention to Article 5 (a) and (b): *“For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels: (a) To meet or assemble peacefully; (b) To form, join and participate in non-governmental organizations, associations or groups”*; and to Article 12 (2) which states that: *“The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present declaration.”*

Yours sincerely,



Mary Lawlor
Director