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Re: Colombia FTA and Trade Union Violence

December 21, 2009

Dear Trade Aide:

As debate continues around the pending US-Colombia Free Trade Agreement (FTA), we would like to bring your attention to the enclosed report, *Systematic Violence Requires Strategic Justice: Ongoing Impunity in Assassinations of Trade Unionists in Colombia; 2008 Annual Impunity Report*.

One of the chief obstacles to US congressional approval of the Colombia FTA has been the issue of violence against trade unionists and impunity. This report analyzes the Colombian government's progress last year on impunity with respect to violence against trade unionists, specifically examining 2008 convictions for murders of trade unionists.

The report, released earlier this month, is based on a detailed analysis of rulings by specialized labor courts that were established in 2007 under an agreement with the International Labor Organization to address the huge backlog of cases of unionist assassinations and other violence against trade unionists in Colombia.

As the Executive Summary indicates, key highlights of this report include:

- The Colombian government's net progress in 2008 in reducing the backlog of pending cases of murdered trade unionists was zero. Forty-nine trade unionists were murdered in 2008, offsetting the convictions in 49 victims' cases in the same year. Clearly the advances on this small number of cases are not having a deterrent effect;

- As a result of the ILO agreement with Colombian unions and the Colombian government, the government implemented two specialized subunits, one investigative and prosecutorial and one judicial. These subunits achieved more homicide convictions overall in 2008 (46) than in 2007 (29), but in a universe of 2,697 unionist assassinations (through December 31, 2008), convictions of one or more perpetrators in the cases of 49 victims represents minimal progress;

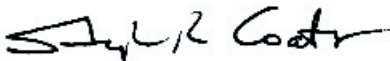
- The investigative and prosecutorial specialized subunits' work

actually led to fewer convictions than the prior year (22 in 2008, compared to 29 in 2007) because the majority of those convicted, 24 individuals, resulted from the controversial and flawed Justice and Peace process which began feeding cases to the subunits in 2008;

- Only 12 of the 22 (55%) individuals convicted outside the Justice and Peace process are currently in jail;
- The Justice and Peace process produces convictions from demobilized paramilitary leaders' confessions, yet lack of clear coordination with the specialized subunit means that it does not clarify the complete circumstance of cases; and
- At the same time, the government has been expending great efforts to discredit and subvert the hard work of individuals searching for justice in these cases, including the use of illegal surveillance. This demonstrates a greater political commitment to undermining labor and human rights anti-impunity work than to promoting respect for human and labor rights.

This report was prepared by USLEAP's Regional Coordinator based in Bogota, Colombia. Please do not hesitate to contact her directly at [scollerd@usleap.org](mailto:scollerd@usleap.org) if you have any questions about this report.

Sincerely,



Stephen R. Coats  
Executive Director