

Colombia labor applauds convictions

Leaders say government is only taking action against organizers' to secure US trade deal.

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Bogotá, Colombia -- Friends and family of Aury Sara, the former head of the northern branch of Colombia's oil workers' union, had little doubt about who ordered his 2001 kidnapping, torture, and murder, but they had little hope of ever seeing those men convicted of the crimes.

The case, like hundreds of similar cases in the world's most violent country for union workers, had become mired in Colombia's labyrinthine legal system.

But last month a special court sentenced three top leaders of the now-demobilized paramilitary forces – one of whom is dead – to 40 years each and fines of about \$160,000 for ordering Sara's murder.

The sentence is one of nine convictions handed down by three specially designated judges whose sole responsibility as of July is to resolve cases involving violence against union members going as far back as 1986.

The sudden surge in convictions is a victory for Colombia's workers' rights movement, one brought on, labor leaders say, by the government's strong desire to pass a key free trade agreement (FTA) with the United States. While the US Congress approved a similar deal with neighboring Peru last week, Colombia's trade pact is stalled over concern among some Democrats about the high level of impunity in human rights cases, especially involving trade union members.

"Without that pressure from the US the Colombian government would not be acting to clear up these cases and seek convictions," says Jose Luciano Sanin, director of the Escuela Nacional Sindical, a labor rights group that tracks violence against Colombia's labor movement. "All of a sudden, with this external pressure, impunity in union cases has become a priority because it is a condition for approval of the FTA," he says.

Pressure builds to act on human rights

Pressure began building late last fall after the Democrats swept a majority of seats in the House and the US and Colombian labor movements saw their chance to act.

Just last week, presidential candidate Sen. Hillary Clinton (D) of New York joined election rival Sen. John Edwards (D) of North Carolina in opposing the pact.

The AFL-CIO, which had been denouncing the dismal labor rights situation in Colombia for years, used its influence in Washington to bog down the approval of the trade deal.

"We have a bit more leverage because of the FTA," says Jeff Vogt a global economy policy specialist with the AFL-CIO. "Our pressure has pushed them [the Colombian government] to put more resources into union member cases."

Early this year, the general prosecutors' office established a special unit of 13 prosecutors for crimes against union members. They have given priority to 187 high-profile cases. Then, in July, the special "decongestion" courts were created.

Judge María Judith Durán, coordinator of the special labor violence courts, says the international demands were key to their creation. "All that pressure works," she says.

High level Colombian government officials alternate in flying to Washington to convince lawmakers in Washington that Colombia is taking steps in the right direction with a reduction of murders and increased convictions.

Despite progress, union murders continue

But it's a hard sell. Even as he made the rounds in Washington last week with statistics on how violence against labor leaders had dropped dramatically, Leonidas Silva, a member of a teachers union, was shot dead in his home in eastern Santander Province. And as the vice president returned from his lobby trip to Washington, Jairo Giraldo of the national fruit-workers union was gunned down in western Valle del Cauca province.

The killings bring to 23 the number of union members killed so far this year, which is down dramatically from the peak in 1996 of 275 murders.

More than 2,534 union members have been killed between 1986, when records began to be kept, according to the ENS. About 98 percent of those cases are unsolved.

The government recognizes the dismal record and says it is working hard to improve it. But Vice President Francisco Santos said it is not about getting the US to approve the pact.

"The Colombian government's policies regarding guaranteeing the rights of workers ... is not simply a product of the FTA," said Santos on Tuesday while he inaugurated a series of workshops for prosecutors on how to accelerate processing cases of labor violence.

But Mr. Sanin believes that whatever the reason behind it, Colombia's labor movement needs to take advantage of the leverage it now has.

A steady stream of US congressional delegations has been coming to Colombia in the past few months, led by Bush administration officials hoping to convince US lawmakers

that Colombia, Washington's strongest ally in South America, deserves free trade with the US.

Sanin has met with most of them. "We tell them that even if the FTA is approved, they have to keep up the pressure on the government," he says. "Otherwise, we'll go back to where we were before."