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VIA FACSIMILE

The Honorable Robert J. Portman
United States Trade Representative
Office of the United States Trade Representative
600 17th Street, N.W., Room 209A
Washington, D.C. 20506

Dear Ambassador Portman:

I am extremely disappointed to learn that Free Trade Agreement negotiations on a U.S.-Peru FTA have been completed, and you have signaled your intention to sign this text and perhaps present it to Congress this year for a vote. Since it is not a model that will raise the standard of living for workers everywhere, I am writing to request that you immediately renegotiate the Peru FTA. The way in which the Peru FTA has been drafted replicates the model used in CAFTA, and is not acceptable to the Teamsters Union.

Making matters worse is the fact that Peruvian President Alejandro Toledo several months ago indicated publicly that his nation would be willing to include enforceable International Labor Organization (ILO) core labor standards as the required minimum in the AFTA. During the CAFTA debate you argued that the U.S. could not impose the core ILO standards on these countries, and here you have the Peruvian President say that it was acceptable to him. Why not include it? I would have expected the USTR to press for inclusion of these core ILO standards in the Agreement. Unfortunately, you chose to ignore President Toledo and have kept the same flawed CAFTA model, not only with respect to the core ILO standards, but also throughout the entire Agreement.

In addition, in previous negotiations, Peru and the other Andean countries have proposed to address another shortcoming in the workers' rights provisions—the failure to include anti-discrimination laws among those that countries must effectively enforce. As in CAFTA, because non-discrimination is

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not among the labor rights included in the Peru FTA's definition of "labor laws," parties to the accord would not even be required to enforce the anti-discrimination provisions they have on the books. As a result, the many women who compose much of the workforces in export sectors in Peru and in the Andean region, where sexual harassment has been well documented, would be unprotected from employment and workplace discrimination. Once again, the United States Trade Representative had an opportunity to address this deficiency in its labor chapter, but refused to do so.

If the global economy is to truly benefit workers and economies, there must be real and enforceable mechanisms in our trade agreements to ensure the basic rights of workers. Without such mechanisms, these trade agreements will only lead to more job loss, weaker critical regulations, and repercussions that will affect economies and workers everywhere. Peru and others have shown their willingness to accept a free trade accord that takes important steps towards this goal, and you have repeatedly ignored this willingness by continuing to move forward with the same NAFTA/CAFTA model.

I also understand that the U.S. recently finished negotiating a trade agreement with Colombia. It is an absolute outrage and an insult to the Teamsters and Unionists everywhere that the U.S. has negotiated a trade agreement using the same weak CAFTA labor standards with Colombia, a country that has an alarming level of violence against trade unionists and leaders. The International Confederation of Free Trade Unions has documented that in 2004, 445 Colombian trade union members received death threats and 99 were actually murdered, an increase of ten percent over the previous year. Colombia accounts for more than two-thirds of all murders of trade unionists in the world, and some 90 percent of all reported death threats.


These assassinations and death threats are carried out with near complete impunity -- since 2001 no arrests have been made in 99 percent of the murders of Colombian union organizers. The International Labor Organization (ILO) has pointed to a "persistent climate of violence" directed against union members. The State Department in its 2004 report states "violence against union members and antiunion discrimination remained obstacles to joining unions and engaging in trade union activities...." With statistics such as these, it is dumbfounding that the

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U.S. would even enter into negotiations with Colombia. I hope that you seriously rethink your decision to have a free trade agreement with Colombia.

Do not expect the Teamsters Union to stand idly by as you attempt to move forward another flawed trade agenda. We intend to shine a bright light on these policies that darken the lives of workers. If the Peru FTA is not renegotiated, the Teamsters Union stands ready to actively and strongly oppose it and force the Administration to once again use all of its political power to try to pass it. Similarly, if you move a trade agreement with Colombia forward, the Teamsters Union stands ready to actively oppose it as well.

Sincerely,


James P. Hoffa
General President

JPH/ypf