

## **Alvaro Uribe: Violence and Impunity Against Trade Unionists, 2002-2010**

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This document provides bullet point rebuttals to claims that Alvaro Uribe made significant progress during his terms as president of Colombia (2002-2010) combating impunity and violence against trade unionists.

#### **CLAIM #1: VIOLENCE AGAINST TRADE UNIONISTS IS DOWN**

Uribe backers point to a seventy-five percent reduction in homicides of union members from 2002-2010.

**Fact: While there has been a drop from the astronomical levels earlier this decade, they are still the highest in the world. Every year President Uribe was in office, Colombia led the world in the number of trade unionists murdered; in most years, more trade unionists were murdered in Colombia than in the rest of the world combined.<sup>1</sup>**

- During Uribe's time in office (2002-2010), 565 trade unionists were killed, 96 survived attempted assassinations, and 36 were disappeared.<sup>2</sup>
- In 2009, Uribe's last full year in office, 101 trade unionists were murdered worldwide. Forty-seven of them were from Colombia, 47% of those killed. Assassination attempts increased 125% in Uribe's last full year in office, from 8 in 2008 to 18 in 2009.

#### **CLAIM #2: URIBE MADE GREAT STRIDES IN ADDRESSING RAMPANT IMPUNITY**

Uribe backers point to a growing number of court sentences that respond to violence against trade unionists, citing 222 between 2002 and 2009, 207 of which were obtained between 2007 and 2009.<sup>3</sup>

**Fact: Under Uribe, progress on impunity was meager; new murders far outpaced new convictions.**

- The backlog of unresolved homicide cases increased by over 440 cases under Uribe.
- Although judges report delivering sentences for 222 cases between 2002 and October of 2009 regarding all types of violence against trade unionists, only 118 have been verified by the country's leading independent NGO analyzing labor issues, the Escuela Nacional Sindical, as valid for victims of assassinations and forced disappearance, and 13 for other types of violations.<sup>4</sup>
- In 2009, Uribe's last full year in office, the backlog of completely unresolved cases increased again, with new convictions for the murder of 41 trade unionists more than offset by the 47 assassinations.<sup>5</sup>
- Virtually no progress was made under Uribe's tenure on impunity with respect to other forms of violence against trade unionists besides murder, e.g. torture, death threats, and disappearances.

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<sup>1</sup> Escuela Nacional Sindical (ENS), "Violaciones a los Derechos Humanos de las y los Sindicalistas Colombianos, January 1 to December 31, 2008, January 2009", and "Annual Surveys of Violations of Trade Union Rights," International Trade Union Confederation (ITUC). ITUC annual surveys are available online: <http://survey.ituc-csi.org/+Colombia+.html>.

<sup>2</sup> Escuela Nacional Sindical (ENS), "Report on Violations of Human and Labor Rights and Impunity, 2009-2010, 2002-2010". Notebook of Human Rights, No. 22, October 2010. You can learn more about the ENS by visiting: <http://www.ens.org.co/index.shtml>.

<sup>3</sup> Embassy of Colombia, "Ensuring Justice and Protecting the Rights of Union Members in Colombia," 2009: [www.colombiaemb.org](http://www.colombiaemb.org).

<sup>4</sup> The Colombian Public Prosecutors Office (Fiscalía) has released only partial information about the sentences corresponding to violence against unionists, making it difficult to measure impunity. Of the available information, the ENS has verified the legitimacy of 131 of the 222 sentences.

<sup>5</sup> USLEAP 2009 Annual Impunity Report, released December 2010:

<http://www.usleap.org/files/2009%20Annual%20Impunity%20Report%20Final%20Web.pdf>.

- Out of a total of 236 homicides committed from 2005 to 2008, only four convictions were issued in 2009. This means that the impunity rate for assassinations from 2005 to 2008 was 98.3%.<sup>6</sup>
- A specialized Subunit of Investigation set up in 2007 to focus on cases of violence against trade unionists is currently in charge of prosecuting 1,546 cases of violence. Of the selected cases, 598 victims were not actually trade unionists based on ENS records, more than 35%. There are 2,842 homicides cases pending for murders committed since 1986.
- Under the Justice and Peace Process, the controversial legal procedure that began as a result of the demobilization of paramilitary groups in 2003, ex-paramilitaries are only subject to a maximum of 5-8 years for confessing to murdering trade unionists, no matter how many they killed.<sup>7</sup>

### **CLAIM #3: URIBE SUPPORTS the LABOR MOVEMENT and TAKES VIOLENCE SERIOUSLY.**

Uribe backers say that the President dedicated considerable support and resources to protecting unionists.

**Fact: For years, Uribe shrugged off the levels of violence, telling Washington, DC reporters as recently as May 2007 that “there are no assassinations of workers in Colombia.” Uribe and his government stigmatized unionization, while an intelligence scandal revealed a government willing to target and attack union leaders.**

- The Uribe Administration consistently stigmatized and endangered unions by blaming the violence against trade unionists on alleged links to guerilla forces, delegitimizing unionization and legitimizing violence against the labor movement.
- The Department of Administrative Security (DAS), Colombia’s intelligence agency supervised by the Executive Branch, was exposed for providing paramilitaries a hit list of 23 trade unionists and other human rights defenders in 2006. The majority of the individuals on the list have since been killed or displaced.<sup>8</sup>
- In February 2009, the DAS was found to be carrying out illegal surveillance and intelligence gathering against members of unions, human rights organizations, the Supreme Court and other key leaders of civil society.<sup>9</sup>
- In 1997, the Colombian government established a “Protection Program” for human rights defenders. The Uribe Administration claimed that it kept more than 1,700 union members safe and tripled the budget for the program. But the Protection Program was run by the same DAS agency that spied on union leaders, and between June and August of 2009 the Protection Program went bankrupt and all services stopped.<sup>10</sup>
- Trade union membership in Colombia decreased six percent from 2002 to 2010, coming in at a mere 4.2 percent as of December 2009. From 2002 to 2009, the Uribe Administration denied 236 applications for trade union recognition.<sup>11</sup>

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<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Colectivo de Abogados José Alvear Restrepo. The list is better known as the ‘Noguera List,’ named after the director of the DAS at that time: <http://www.colectivodeabogados.org/FISCALIA-GENERAL-DE-LA-NACION>.

<sup>9</sup> Latin American Working Group, Washington Office on Latin America, the U.S. Office on Colombia and the Center for International Policy,

“Far Worse than Watergate,” June 2010: [http://www.wola.org/index.php?option=com\\_content&task=viewp&id=1121&Itemid=33](http://www.wola.org/index.php?option=com_content&task=viewp&id=1121&Itemid=33).

<sup>10</sup> USLEAP 2009 Annual Impunity Report, released December 2010: [www.usleap.org](http://www.usleap.org).

<sup>11</sup> In 2002, 863,338 workers belonged to a trade union, while in 2010, 810,114 workers were unionized.