

# Murder and Impunity of Colombian Trade Unionists

Prepared by USLEAP, June 2011

## I. Colombia Remains the Most Dangerous Country to be a Trade Unionist

**51** unionists were assassinated in 2010.

**47** union members were killed in Colombia in 2009.

**338** unionists received death threats, 35 were forcibly displaced, 16 were harassed, 34 were arbitrarily detained, and 7 disappeared in 2010.<sup>1</sup>

**21** unionists survived attempts on their lives in 2010.

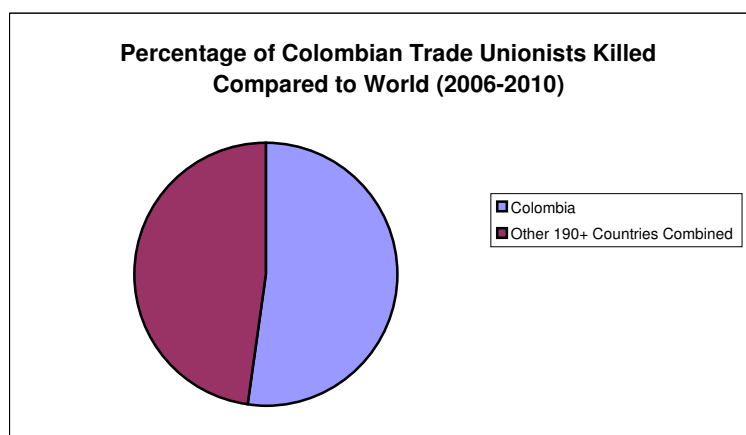
**2800+** union members have been murdered since 1986.

**1 every 3.2 days:** the rate Colombian unionists were killed on average over the last 24 years.

## II. More Trade Unionists are Murdered in Colombia Than in the Rest of the World Combined

*More than half of unionists murdered worldwide between 2006 and 2010 were Colombian:*

<u>Year</u>	<u>Colombia</u>	<u>Worldwide<sup>2</sup></u>	<u>Colombia's Share</u>
2010	51	92	55%
2009	47	101	47%
2008	52	76	64%
2007	39	91	43%
<u>2006</u>	<u>76</u>	<u>144</u>	<u>53%</u>
Total	265	504	52%



<sup>1</sup> Escuela Nacional Sindical (ENS), 2010.

<sup>2</sup> Colombia figures are taken from the Escuela Nacional Sindical (ENS): <http://www.ens.org.co/index.shtml>. Worldwide figures are taken from the International Trade Union Confederation's (ITUC) annual reports on trade union violence: <http://survey.ituc-csi.org/+Colombia+.html>, with 2010 total adjusted to reflect slightly higher figures for Colombia from ENS.

### III. Impunity Persists

- Despite the establishment in 2007 of special courts and investigative units focused on cases of violence against trade unionists, results have been limited: the impunity rate remains at 96% for murders of trade unionists and 99.8% for other forms of violence.<sup>3</sup>
- Nearly 55% of the homicide cases of unionists are not being addressed by the special investigative unit, and more than 35% of the cases that the unit claims to be investigating are not even trade unionist cases.<sup>4</sup>
- New murders are outstripping convictions for old murders, so the Colombian government is not making any progress reducing the backlog of pending cases. In 2009, the backlog increased, with new convictions for the murder of 41 trade unionists more than offset by the 47 assassinations committed in 2009. (Analysis for 2010 not yet available.)
- The majority of cases rarely convict both parties responsible for a murder, the intellectual and the material authors, leaving most cases open and unresolved. Only three cases in 2009 achieved the conviction of both material and intellectual authors. (Analysis for 2010 not yet available.)

### IV. Passing the Colombia FTA could lead to a surge of violence

After implementation of the Central America Free Trade Agreement (CAFTA) in 2006, violence against trade unionists in Guatemala jumped from virtually none to 16 murdered in 2009 and another 10 killed in 2010, making Guatemala the second deadliest country for trade unionists. The labor protections of CAFTA have so far proved useless in addressing violence and impunity. Indeed, in May 2011, a leader of one of the Guatemalan unions who filed the first labor complaint was murdered. What does this portend for Colombia if an FTA is passed?

### V. The April 2011 Labor Action Plan is inadequate

The Obama Administration has been touting its Labor Action Plan with Colombia, agreed to just a couple months ago, as sufficient to pave the way for a vote on the Colombia FTA. After over two decades of violence and impunity, how are we to believe that there is now a drastic change in policy and practice in Colombia? The Plan has no enforcement measures and pressure for compliance will end as soon as the Colombia FTA is implemented. The Plan, which contains some positive features if fully implemented, must be given time to demonstrate concrete results in reducing violence and ending impunity, let alone addressing other long-standing obstacles to the exercise of basic worker rights. And there is not even a “Plan” to address violence against other human rights defenders or the negative impact that the FTA is expected to have on small farmers, Afro-Colombians and the environment.<sup>5</sup>

- **For more information, please contact the US Labor Education in the Americas Project (USLEAP) [www.usleap.org](http://www.usleap.org) • (773) 262-6502 • [info@usleap.org](mailto:info@usleap.org)**

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<sup>3</sup> *Impunity and the Violation of Human Rights of Trade Unionists in Colombia, 2009-2010 and 2002-2010*, ENS, October, 2010. This already high rate of impunity is generous and misleading, implying that 4% of cases have been resolved when in fact most of the 4% are preliminary convictions that are subject to appeal and reversal and rarely include all key actors in a particular crime, e.g. both the material and the intellectual authors.

<sup>4</sup> ENS, *ibid.*, p. 78.

<sup>5</sup> The Labor Action Plan has a series of steps that the Colombian government has agreed to take by specific dates. See the USLEAP website for more information on the Labor Action Plan, which will be a focus of attention during the FTA debate.