According to the largest Colombian trade union centre, in 2013 there were 451 instances of anti-union violence – one act every 19 hours.

The trade union movement and the vast majority of social organisations in Colombia are currently giving their support to peace processes on-going between the government and the two left-wing guerrilla organisations, the Fuerzas Armadas Revolucionarias de Colombia / Revolutionary Armed Forces of Colombia (FARC) and the Ejército de Liberación Nacional / National Liberation Army (ELN). There is hope that, if peace deals are reached that include measures for addressing the deep-rooted social and political inequalities, then an important step will have been taken towards improving the situation for workers, trade unionists and for all those fighting for social transformation in Colombia. There are however considerable fears that the on-going lack of guarantees for political activists, including trade unionists, will provide a considerable obstacle to peace becoming a reality.

Colombia has for several decades been the most dangerous place in the world to be a trade unionist. Every year numerous union leaders, union activists and union members are assassinated. Over 3000 trade unionists have been murdered since the mid-1970s, and nobody has been brought to justice in the vast majority of the cases.

Over recent years, in spite of opening up of the peace talks and a more accepting discourse from the Colombian government officials, the murders have not ceased. A recent Justice for Colombia report documented 534 political activists killed between 2011 and 2015 – this included 134 trade unionists.

In addition to the violence, Colombia has some of the worst workers’ rights in the world. A 2015 report by the ITUC gave Colombia the second worst possible ranking and placed it amongst the 10 worst countries in the world to be a worker.

The targeting of trade unionists and the anti-union practices has formed part of a broader political violence which has seen obstructions placed in the way of the activities of all types of social organisations. This structural political violence has contributed to the maintenance of a deep-rooted social inequality and these two factors have provided the root causes to the more than five-decade long civil war.

According to the largest Colombian trade union centre - Central Unitaria de Trabajadores de Colombia / Central Union of Workers (CUT) – in 2013 there were 451 instances of anti-union violence – one act every 19 hours, every day of the year.

The grim toll of Colombia’s war on trade unions amounts to at least 13,713 violations of the right to life and liberty since 1977 – 3062 assassinations, 253 kidnappings, 342 violent attacks, 6572 violent threats, 1800 forced displacements and 725 arbitrary detentions. Between 2000 and 2010, Colombia accounted for 63 percent of trade unionists murdered globally.

The Colombian government has made significant effort to convince the international community they are taking steps to tackle anti-trade union violence, not least as part of their push to agree free trade agreements with the United States and the European Union.

The Colombian government will often point to the protection measures provided by the state to many trade unionists - ranging from a bodyguard and a bullet-proof car, to a mobile phone or a bullet proof jacket - but the high impunity rate continues to give a green light for the assassinations to continue. Colombian organisations regularly point out that there often appears to be more time dedicated to investigating false accusations of trade unionist links to guerrilla organisations than to bringing those responsible for carrying out the murders to justice.

The Labour Action Plan (LAP), was agreed in 2011 to demonstrate the commitment of the Colombian government to protect workers’ rights prior to the signing of the free trade agreement with the US – it has failed however to stop the killings. In the four years following the implementation of the LAP, more than 100 trade unionists were killed.

And whilst the authorities assert that they are acting to apprehend the perpetrators, the evidence does not support this. A 2014 report by the CUT showed that 86.8 percent of assassinations remain in impunity, while 99.9 percent of threats are never investigated.

Trade Union Violence

Alongside the murders, trade unionists suffer permanent persecution, which includes unlawful detention, physical attacks, forced disappearance and regular death threats.

Most of the killings are carried out by right-wing paramilitary death squads with documented links to the Colombian security forces. However, many are murdered by the Colombian Army, and the secret police were even exposed for drawing up ‘death lists’ of union members.

The Colombian Trade Union Movement

Trade union membership levels have taken a devastating hit as a direct result of the anti-union violence, anti-trade union laws and policies and massive labour market changes.

In spite of these difficulties, the union movement continues to play an active role in Colombia: in 2013 and 2014, together with social organisations from across the country, the trade unions were involved in weeks of strikes and disruptions across Colombia in response to the devastating impact of international free trade agreements.
Until the 1990s Colombia’s unions were among the strongest in Latin America. Membership – now the lowest in the Americas – has halved in less than 20 years, leaving only 850,000 trade union members in the country, less than 4 percent of the workforce.

The movement is fragmented, with more than 2000 registered unions and three national centres – the CUT, the Confederación de Trabajadores de Colombia / Confederation of Colombian Workers (CTC), and the Confederación General de Trabajo / General Confederation of Labour (CGT). The CUT is the largest centre, with 746 affiliated unions, representing more than 600,000 members. The union movement is attempting to engage in a consolidation process, but progress remains slow.

FECODE, a national federation representing around 250,000 teachers is Colombia’s largest union, followed by FENSUAGRO, representing around 100,000 peasant farmers and agricultural workers nationally. Both are CUT-affiliated, as are the majority of the other key trade unions including ANTHOC (health workers), UNEB (firm sector workers) USO (oil workers) and FUNTRAENERGETICA (miners, metal workers and the chemical sector).

Workers’ Rights

In addition to the permanent threat of violence, government and employers also routinely undermine and sabotage workers’ rights.

Whilst Colombia signed up to the ILO’s fundamental conventions, the country has been a regular topic for discussion by the ILO’s expert Committees for two decades due to continual violations, including freedom of association and the right to organise. Unions claim its removal in 2010 resulted from a deal engineered to exclude Colombia in exchange for the government accepting the sanction of a high level tripartite mission to investigate abuses.

Despite government claims of progress, thousands still face harassment, blacklisting, arrest and dismissal for their union activities.

A combination of anti-union tactics and the effects of neo-liberal economic policies have posed further problems to the Colombian union movement. Sweeping privatisation has had a severe impact upon rights, whilst over recent years there has been a significant increase in the number of low-paid ‘informal’ workers. Over 60 percent – particularly women and Afro-Colombians – are forced to work outside the formal economy.

The widespread use of temporary contracts - which are excluded from the Labour Code - and ‘employment cooperatives’ by privatised companies to move staff into insecure employment, undermine collective bargaining and deny workers union rights. Of seven million Colombians in formal employment, just four million have permanent contracts.

Private sector employers often use ‘collective pacts’ between individuals and employers, which also undermine collective bargaining. Employers offer better pay to workers in return for leaving the union. The LAP was supposed to make these pacts unlawful, but they are still widely used.

In total, less than 1 percent of Colombians are covered by collective bargaining agreements.

The right to strike is also severely curtailed: federations are banned from calling strikes and stoppages are illegal in a wide range of services, in breach of ILO Conventions.

Impact of Free Trade Agreements

Free Trade Agreements (FTAs) have led to hundreds of thousands of Colombians being forced off their land, a surge in anti-union violence, strikes, protests and increasing poverty.

The long-delayed US-Colombia FTA – the Colombia Trade Promotion Agreement (CTPA) – was signed in 2011, a year after Canada signed a similar agreement and in the face of strong opposition from trade unions.

Under the agreement, tariffs were eliminated on 80 percent of US consumer and industrial exports. Poor Colombian farmers are forced to compete against heavily-subsidised US products. US exports have soared, more than doubling in just two years, with Colombia becoming the largest US market in South America.

Oxfam estimates the average income of 1.8 million grossly under-protected small farmers will fall 16 percent and that the earnings of 400,000 farmers - already surviving on incomes below the minimum wage - will drop by up to 70 percent.

Mass displacements jumped 85 percent in one year following the agreement’s implementation in May 2012, mostly in areas affected by the CTPA.

The CTPA also opened up Colombian industries and services, such as water, energy, and healthcare to privatisation.

At the time of the initial signing of the agreement, opposition from campaigners in the US forced the Obama administration to append the Labour Action Plan, which aimed at:

1 Strengthening state institutions
2 Achieving regular work contracts
3 Protecting the right to organise
4 Protecting the right to bargain collectively
5 Overcoming violence and impunity

Four years later however the LAP had still not been implemented.

Fines for labour abuses go uncollected, impunity remains the norm for labour killings, and retaliation against unions and activists who attempt to defend their right to organise and collectively bargain are rampant – including mass firings.

The agreement with the US was followed by a deal with the European Union. In spite of a campaign by Justice for Colombia together with unions and MEPs which caused a delay of over three years and saw every Labour MEP vote against the deal, the EU-Colombia free trade agreement was ratified by the European Parliament in 2012. The agreement was finally adopted by all member parliaments in 2015 when Ireland narrowly ratified it, despite opposition from trade unions and campaigners.

Specific human and labour rights obligations were agreed as part of the EU deal, however the article is not binding and the only mechanism for enforcement is for a member state to take Colombia to the International Court of Justice and secure unanimous agreement of all EU member states - an extremely difficult and somewhat insufficient mechanism for holding one of the world’s worst human rights violators to account.

Peace and Social Justice

On-going paramilitary violence against political activists and institutionalised anti-union practices continue to pose a very real threat to the ability...
take seriously the need for a level-playing field on which workers and employers negotiate.

The combination of the labour reforms and Chile’s fluctuating copper fortunes may also bring other issues to the fore. With profits low and wage costs due to rise, it may become imperative to reassess how Codelco’s profits are distributed. Under a controversial 1958 law (codifying a practice which began in the 1880s, and was strengthened under the Pinochet dictatorship), Codelco is obliged to allocate 10 percent of its export revenue to the armed forces. These contributions – over which there is no parliamentary oversight – have totalled more than US$13 billion over the last fifteen years. Since the 1990s, attempts to have the law repealed have repeatedly failed, but Codelco’s financing of the military is also back on the political agenda for 2016.

of trade unionists, social organisations and any potential political parties or movements to emerge from the demobilisation process to participate in Colombian politics and Colombian society. Whilst the peace process is generating real and legitimate hope, it will only be with the full participation of these groups that Colombia will have any chance of addressing the fundamental social inequalities that must be overcome if all Colombians are to live in peace.

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- Implement the recommendations made by the Compliance Advisor Ombudsman of IFC, the World Bank’s private-sector lending arm, in a May 2015 investigation report concerning deficiencies in the application of ‘IFC Performance Standard 2: Labour and Working Conditions’
- End the promotion of labour market deregulation and, instead, help to reverse the rise in income inequality by supporting social dialogue, strengthened collective bargaining and robust minimum wages as part of a coherent set of labour market policies for more inclusive growth
- Ensure that women benefit from these policy actions to avoid a further deterioration of gender gaps in employment and income levels
- Help countries restore or establish fiscal policies that reduce inequality through more progressive tax regimes and increased coverage of social protection programmes
- Develop actions to contribute to attainment of the Sustainable Development Goals of the UN’s 2030 Agenda, which includes targets on full and productive employment, protection of workers’ rights, reduction of inequality, universal health coverage, universal primary and secondary education, and national social protection systems for all including floors.

The leading reference work on the international trade union movement

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Over 60 million jobs have been lost since the beginning of the financial crisis in 2008. With the addition of new labour market entrants over the next five years, 280 million more jobs need to be created by 2019. Half the world’s workforce are employed in precarious work and one in three jobs pay less than $1.25 per day. To just maintain the status quo 1.8 billion jobs must be created by 2030.

We are seeing levels of inequality in income distribution back to the scale of the 1920s. We are living through a boom period but only for the one percent.

There is a word missing in the world of tomorrow debate – ‘solidarity’. UNI Global Union and its 20 million members stands for solidarity in action.