
Colombia and the EU
Background to the GSP+ renewal
October 2008

Colombia, trade with Europe and core labour standards

The European Commission is currently deliberating on whether to renew GSP+ status for a number of countries around the world (GSP refers to the Generalised System of Preferences under which certain countries' goods get preferential access to European markets). One of the current GSP+ countries is Colombia, and the TUC has urged the Trade Commissioner, Baroness Ashton, to use the Colombian Government's application for the renewal of its GSP+ benefits for the 2009-2011 period to insist that the Colombian Government demonstrates a genuine commitment to respect for core labour standards as laid down by the ILO.

This briefing covers:

- TUC General Secretary Brendan Barber's letter to Baroness Ashton;
- A briefing from the CUT, the largest union confederation in Colombia, about the current Colombian Government's lack of respect for core labour standards.

For further information, see the TUC-backed Justice for Colombia website at http://www.justiceforcolombia.org/?link=3_0_3

Brendan Barber's letter to Baroness Ashton

On behalf of the General Council of the Trades Union Congress (TUC), our 59 affiliated unions and their 6.5 million trade union members, I would like to make you aware of our considerable concern about the GSP+ status of Colombia, which is the most dangerous place in the world to be a trade unionist. I urge you to use the Colombian Government's application for the renewal of its GSP+ benefits for the 2009-2011 period to insist that the Colombian Government demonstrates a genuine commitment to respect for core labour standards as laid down by the ILO.

As you may know, the TUC has particularly strong links with the Colombian trade union movement. Tarsicio Mora, the President of the largest trade union confederation in Colombia, the CUT, addressed our annual Congress in September, and I know that he wrote to your predecessor expressing outrage at the breaches of the GSP+ requirements by the Colombian Government. We are guided by our colleagues in Colombia on this issue, and I attach [not in this briefing] their

assessment of the failure of the Colombian Government to respect the core labour standards.

The TUC is of course an active member of both the European Trade Union Confederation and the International Trade Union Confederation, and I would strongly support the submission they have made to you on this matter. In addition, you may be aware that the TUC and our affiliated unions established Justice for Colombia (JFC) as an expression of practical solidarity with the Colombian trade union movement, and we are working closely with JFC on the issue of GSP+.

I look forward to hearing what you plan to do to ensure that the Colombian Government abides by its undertakings under GSP+. I know that our offices are liaising over a date for us to meet, and whilst there are many other matters we need to discuss, I hope we will be able to address the issue of GSP+ and core labour standards in Colombia in particular.

I will also be informing the UK Government of our views.

Yours sincerely

BRENDAN BARBER

General Secretary

CUT report on core labour standards in Colombia

41 trade unionists have been killed so far in 2008 alone, a 40 per cent increase compared with the same period the previous year. This reality refutes the assertion that in Colombia the situation is improving and that as trade unionists, we are free to organise and bargain collectively. Since President Uribe took office, trade unionists have continued to be murdered in numbers that surpass those murdered in the rest of the world combined.

To make matters worse, it is rare for anyone to be brought to justice for these crimes – a green light for the killings to continue. Impunity for these crimes runs at over 97 per cent. Indeed, President Uribe and others in his government regularly make statements putting trade unionists and human rights defenders at serious risk by claiming that we are somehow linked with the actions and activities of the guerrillas.

Other indices of violence paint a similar picture since President Uribe came to power. Between July 2002 and December 2007, at least 13,634 people were killed outside of combat due to socio-political violence. Of these 13,634 people, 1,314 were women, 719 were children and 1,477 were forcibly disappeared. In addition, in cases where the perpetrator of the violation is known, the Colombian State has been attributed with responsibility for 75.4% (8,049 people) of the cases: 17.53% (1,411 people) were directly attributed to State forces; 57.87% (4,658 people) were carried out by paramilitaries with the support or acquiescence of the State. The

guerrillas were the presumed authors of 24.59% (1,980 people) of the violations. Between July 2002 and December 2007 at least 932 people were the victim of torture, 731 of whom were murdered.

The records available on arbitrary detentions show an increase since 2002. Between August 7, 2002 and August 6, 2004, at least 6,332 people were arbitrarily detained by agents of the Colombian State. Between August 7, 2004 and December 31, 2007, 2,227 people were deprived of their liberty in an arbitrary manner.

The number of displaced people is worrying; now numbering over 4 million. During the first quarter of 2008, 113,473 people were displaced, representing an increase of 18 per cent over the same period last year. Displacement is taking place at an average rate of 1,250 people per day.

According to the Fundación País Libre, 8,451 people were kidnapped between January 2002 and December 2007.

Contrary to what the government says, neither the paramilitaries nor the close ties between State agents and the paramilitaries have been dismantled. This is despite the many international recommendations on the matter. Between December 1, 2002 to 31 December 2007, 4,019 people have been victims of violations of the right to life attributed to suspected paramilitary groups in at least 27 of the 32 departments in Colombia. The links between the Colombian State and paramilitaries has implicated members of Congress and senior government officials.

Up until July 2008, 63 congressmen, most of them party members and allies of the President, have been investigated for their alleged links with paramilitary groups.

As for basic trade union rights, the ILO Committee of Experts on the Application of Conventions and Recommendations expressed its concern in 2008 about practices in Colombia such as the arbitrary rejection of applications to register new unions; compulsory arbitration to end a strike; the prohibition of strikes in a broad range of services; and the use of work cooperatives as a cover for denying the right to join a union.

Likewise, the ILO Committee on the Application of Standards expressed its concern in 2008 about the use of cooperatives as a means of undermining trade union rights, among other things, and called on the government to ensure that all workers can form and join an organisation of their own choosing.