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DESPITE CLAIMS BY COLOMBIAN GOVERNMENT, OUTLOOK FOR COLOMBIAN TRADE UNIONISTS REMAINS BLEAK

On March 9, 2005, the Medellín-based *Escuela Nacional Sindical* (ENS) released its annual human rights report on the situation of Colombian trade unionists in 2004. The report is far from hopeful. ENS found an overall increase in the number of violations against trade unionists, including an increase in the number of homicides over the previous year, from 91 to 94 (3%), and a sharp rise in the number of death threats during the same time, from 296 to 445 (50%). The report also attributes direct responsibility for 12% of all human rights violations against unionists, such as arbitrary detention, break-ins and at least 3 assassinations, to the Colombian government. The report notes that most human rights cases are still not investigated or prosecuted, allowing the situation of impunity to continue.

Among all unionized workers, teachers and rural workers were especially targeted. Teachers and others employed in education were the victim of 61% of all violations registered in 2004, including an alarming 48 assassinations, 320 death threats, 30 forced displacements, 14 arbitrary detentions and 5 disappearances. Of the 48 assassinated, which account for 51% of the total for 2004, 38 were affiliated with one union: FECODE, the Colombian Federation of Educators. Farm workers in Sucre, Tolima and Aracua were also victimized daily by means of massive and arbitrary detentions, death threats and assassinations of their principal leaders. In fact, nearly one half (47%) of all arbitrary detentions registered last year were of rural trade unionists. This phenomenon was due in large part to President Uribe's "democratic security" policies, which have subjected rural workers to ever increasing violations of their basic human rights. It is also worth noting that one rural union, FENSUAGRO, has lost over 300 members to assassination between 1994 and 2004.

Trade union activity continues to be criminalized in Colombia, as unionists are often arbitrarily detained by public security forces in the course of carrying out legitimate union activity, while others are arrested and tried on the basis of manufactured evidence. Hernando Hernandez, a leader in USO, the union representing workers at the state oil company, ECOPEPETROL, was arrested and tried for the crime of rebellion. He was absolved of the crime due to the fact that the evidence was adulterated and witnesses bribed. Similarly, Professor Alfredo Correa was falsely accused of the crime of rebellion on the basis of testimony offered by reinserted combatants. Following his release on the basis of lack of credible evidence, he was assassinated, allegedly by paramilitaries, in the city of Baranquilla.

Impunity for violations of human rights continues. In May 2004, ENS asked the *Fiscalia General de la Nacion* about the state of the investigations concerning the 90 assassinations committed in 2003. The Fiscalia responded to the request on August 6, 2004, acknowledging the existence of only 33 cases. Of the 33 cases, the state had not even initiated an investigation in 63% of them. In another report on the state of assassination cases filed since 1992, issued by the Human Rights Observatory of the Office of the Vice President, it noted that for the 1,981 assassinations of trade unionists recognized by the government, only 31 persons, linked to 19 cases, were jailed for their crimes.