

USLEAP

Spring 2014

Fighting for worker justice in the global economy

Announcing the launch of a new USLEAP initiative – “Sindicalistas bajo amenaza” – focused on the epidemic of violence and threats against trade unionists in Latin America

A note from Eric Gottwald, USLEAP Program Coordinator

Carrying forward USLEAP’s long-standing focus on violence against trade unionists in Latin America, *Sindicalistas bajo amenaza* (“Trade unionists under threat”) will have its own section on the new ILRF website, providing a home for USLEAP to highlight cases where urgent action is needed, updates on past cases, as well as more in-depth interviews with the brave men and women who continue to organize despite serious risks to their safety. By sharing their stories we hope to shine a light on how violence and threats continue to undermine the fundamental right to freedom of association across Latin America, while also putting governments (and other actors) on notice that the world is watching.

Check out our first “Sindicalistas” interview below with Óscar Arturo Orozco, a Colombian trade union leader who continues to organize despite three attempts on his life in just the last three years.

As we endeavor to continue Steve’s legacy, we begin by profiling stories about violence against trade unionists in order to keep you, the USLEAP community, connected to the courageous men and women who are organizing against all odds for the ability to exercise their basic rights.

SINDICALISTAS BAJO AMENAZA: Óscar Arturo Orozco

March 3, 2014, Manizales, Colombia—

Nearly three years after the launch of the U.S.-Colombia Labor Action Plan, trade union leaders continue to be murdered, assaulted, fired, and threatened for exercising their fundamental right to organize. When the pact was negotiated by the Obama and Santos Administrations, it was meant to help address concerns about Colombia’s poor labor and human rights record. Sadly,

for Óscar Arturo Orozco, change is not coming soon enough.

According to Escuela Nacional Sindical (ENS), since the Action Plan was announced in 2011 over 50 Colombian trade unionists have been murdered and over 1,000 have received death threats. Due to fear of violence and employer retaliation associated with organizing or joining a union, only four percent of Colombian workers are union members.

For over 20 years, Óscar Arturo Orozco, President of the Caldas local of the Sindicato de Trabajadores de la Energía de Colombia—SINTRAELECOL (Electrical Workers Union of Colombia) and the Central Unitaria de Trabajadores de Colombia (CUT), has been on the frontlines of the Colombian labor movement’s struggle for decent work and respect for fundamental labor rights.

The veteran trade union leader has survived multiple attempts on his life (including three in only the past two years) for his work as a union organizer and human rights defender in Colombia.

The latest incident took place on January 10, 2014, when members of SINTRAELECOL conducted a peaceful rally in the city of Manizales, located in the Department of Caldas, demanding the right to implement the collective bargaining agreement they have negotiated with the local power generation company CHEC, a subsidiary of the massive public utilities company EPM.

Around 7:00 pm, just as the rally was ending, demonstrators were violently attacked and beaten by the Escuadrón Móvil Antidisturbios (ESMAD), a special unit of the Colombian police that is supposed to “maintain order” at public events and demonstrations, but is often accused of persecuting students, trade unionists, and other left-leaning groups.

Just as he grabbed a megaphone to address the demonstrators, Óscar was struck on the left side of his face by a tear gas canister fired by an ESMAD agent at point-blank range, caving in his left eye socket and cheekbone. After several surgeries, doctors were able to reconstruct his face, but he is now blind in his left eye.

At one point during our interview, he leans in to show me the scars from his facial reconstruction surgery, clearly visible even over our patchy Skype connection.

Oscar's wounds are a visceral reminder that, despite the recent decline in murders of trade unionists, Colombia remains a very dangerous country for union leaders and human rights advocates. Prior to this latest incident, his life has been threatened with disturbing regularity:

- On May 28, 2012, he received a death threat delivered in a letter to the CUT offices stating: "This is the last warning; get out of Caldas."
- On August 4, 2012, the vehicle carrying Oscar and a colleague to a meeting with a group of fishermen in Arauca, Caldas, was shot five times by a gunman on a motorcycle. They escaped uninjured thanks to the quick action of their government-provided security guards. Inexplicably, his security detail was discontinued shortly after this assassination attempt. To add insult to injury, criminal charges have been brought by a Colombian prosecutor alleging that Oscar and his companion staged the August 2012 attack on their

own lives.

- On April 9, 2013, Oscar received an email from an unrecognized account stating: "We have agents collecting information about you – we already know where your daughters attend school and where your wife goes."
- On November 13, 2013, while driving home at night, his front driver side window was hit by bullets and he suffered cuts to the neck and the left hand, narrowly avoiding being shot.
- On November 16, 2013, he received a threatening email in which he was ordered to "sign the convention now, do not hold these big workers assemblies any more, the order has been given, you were saved on Wednesday night from the attempt on your life; the next time will be worse."

When asked about the impact of the Action Plan, Oscar described the Colombian government's strategy as

a "double discourse," making cosmetic changes to laws and regulations, but often failing to enforce them in a manner that truly empowers workers to form unions and claim their rights.

Since he cannot rely on the government to provide protection, Oscar's union is working with PASO International, an NGO that accompanies the Colombian labor movement to protect trade union leaders who are involved in organizing, collective bargaining, and community-labor partnerships.

Oscar worries about the toll the threats and violence have on his wife and two daughters: "It's been very hard on them and I worry for their safety since they have already been threatened."

Union allies have offered to relocate Oscar to a different region in Colombia, but he remains defiant: "I was born and raised in Caldas, these are my people, and I won't be exiled."

Thank you to PASO International for helping arrange this interview.



USLEAP ATTENDS WORLD BANANA FORUM WORKING GROUP MEETING

Eric Gottwald of ILRF-USLEAP attended a two day meeting of working group 02 of the World Banana Forum (focused on value chain distribution) held in Santo Domingo, Dominican Republic, November 22-23. The meeting was well-attended with participation from banana unions (COLSIBA, SITRABI), NGOs (USLEAP, Banana

Link, Fair Trade UK), and major banana growers, distributors (Chiquita, Dole), and retailers (Tesco). Participants discussed proposals for shifting a greater percentage of the current banana value chain (where workers receive less than four percent of the retail price) to workers and producers. Eric gave a brief overview of the new US-

LEAP program at ILRF and noted that he would be organizing a meeting regarding labor rights in U.S. banana supply chains in early 2014. The meeting closed with agreement that the working group would identify the countries in which wages are below a sustainable or living wage and consider proposals to address the gap.

USLEAP HOSTS STRATEGIC PLANNING MEETING ON THE U.S. BANANA MARKET

On March 3, 2014, USLEAP hosted a strategic planning meeting attended by unions (both international and domestic) and NGOs with an interest in promoting labor rights for the Latin American workers who supply the U.S. banana market.

Participants took note of the extremely tight relationship between Guatemalan banana production and U.S. banana consumption: Guatemala is the largest supplier of bananas to the

U.S. banana market (33%, followed by Ecuador (19%) and Costa Rica (18%)) and the U.S. buys 95% of Guatemala's banana exports. In Guatemala, banana plantations are principally located in two regions: the Izabal province on the Atlantic coast, where most workers are organized and enjoy decent wages and benefits, and the southern Pacific coast, where wages and benefits are much lower and attempts to organize trade unions have been violently repressed.

The meeting produced a consensus statement of support that will be shared with SITRABI, COLSIBA, and other unions attempting to organize plantations on the southern Pacific coast and a series of questions on how USLEAP and our allies might support their work by engaging U.S. retailers (Walmart, Costco, etc.) and the big distributors (Del Monte, Chiquita) around labor abuses in banana supply chains.

CHIQUITA BUYS TROUBLED TRES HERMANAS BANANA PLANTATIONS; HONDURAN WORKERS OPTIMISTIC

Following more than a year of conflict involving the refusal of the former owner of the Tres Hermanas banana plantations to recognize the independent workers' union SITRAINBA, global banana giant Chiquita (which previously branded and marketed the bananas produced by Tres Hermanas), has purchased the plantations outright, replacing the previous management and rehiring all the workers.

Chiquita's move to purchase the Tres Hermanas group comes in the wake of Rainforest Alliance's decision to decertify the plantations, after a high-profile international campaign led by ILRF, USLEAP, Banana Link, and

allies targeted Rainforest over the case an example of the organization's failure to enforce its own labor standards.

The three plantations have been renamed Agrícola Bananera Santa Rita. The Honduran agro-industrial union federation FESTAGRO reports that the new owners have authorized access to trade union organizers to raise workers' awareness of their right to be represented in an independent organization.

Manuel Rodriguez, Chiquita's senior vice president of government and international affairs, said of the purchase: "Following months of careful efforts to resolve this matter through

consultations with the government, labor leaders, Rainforest Alliance and other NGOs, we are delighted to have put an end to the problem in a way which ensures that jobs are not lost and workers can exercise their freedom of association without interference."

Iris Munguia of FESTAGRO confirmed that one of their member unions is indeed free to operate in the plantations. "The rehiring at the beginning of March," she said, "has brought both economic benefits and better treatment for the workers."

Source: Banana Link, FESTAGRO

WHAT'S KILLING NICARAGUA'S SUGAR CANE WORKERS?

The Dutch NGO Fairfood International is getting ready to launch a campaign to improve working conditions for sugar cane cutters in Nicaragua and across Central America. According to the Pan-American Health Organization, thousands of sugar cane field workers have died from Chronic Kidney Disease of Unknown Origin (CKDu), mostly in Nicaragua and El Salvador. The exact origin of the disease remains unknown, but it is clearly associated

with harsh working conditions, including exposure to toxic pesticides, prolonged exposure to high temperatures, and dehydration. Disturbingly, CKDu is affecting workers as young as 20, with men as young as 30 years old dying at a rate of 5 times the national average in sugar producing regions.

Research funded by Fairfood will seek to build on a 2005 ILRF study on Nicaragua's sugar industry from 2005, which found severe occupa-

tional safety and health violations and widespread use of child labor among sugar cane field workers. USLEAP has been informally advising Fairfood on possible campaign strategies, including corporate engagement and even filing a CAFTA complaint against Nicaragua for failing to enforce its own labor laws in the sugar industry.

HONDURAN UNION RECEIVES INTERNATIONAL LABOR RIGHTS DEFENDER AWARD

On April 29, at the 2014 International Labor Rights Defenders Awards, ILRF honored the Maquila Worker Organizing Project of the CGT union federation in Honduras for showing the world that union organizing enables workers to win binding agreements with global brands and secure respect for their rights in global supply chains.

This award recognized Evangelina Argueta, the coordinator for the Maquila Worker Organizing Project, who has impressed international union leaders and global business representatives alike. Evangelina began working in the apparel industry at age 15 and was a founding member of the union at her factory at age 16. In 2009 and 2010, she negotiated historic agreements with two major US apparel brands.

ILRF interviewed Evangelina on March 8, 2014:

How did you become active in the struggle for workers' rights and what has your union achieved?

I started working in a garment factory at the age of 15. I knew my rights were being violated. I heard that there was a group of workers who wanted to organize for change. I joined with them and founded the union at my factory.

In 1982 the wages were extremely low and we weren't paid any extra for

meeting high production targets. So that was one of the things we fought for – and won – through collective bargaining agreements. We improved the wages in the industry and we won more respect for ourselves. Currently, unions have contracts at eight garment factories in Honduras; the CGT represents workers at four of them.

What would you like people in the U.S. to know about the struggle of Honduran garment workers?

It's important that people understand that while Honduras is in an economic and political crisis, that independent from that workers are fighting

for their rights, that it's possible to have employment and for the jobs to be good jobs. Yes, it's a violent country but it's also a country where we can work. We need better working conditions. We are fighting for there to be more employment and for the jobs to not leave the country. There is no reason to be afraid of Honduras and of the union fight. There are 115,000 jobs in the Honduran garment and textile industry. Since the political crisis five years ago, we've lost 10,000 jobs in this industry.

Visit www.laborrights.org/2014awards to read our full interview with Evangelina.



Vilma Gomez, Judy Gearhart, Evangelina Argueta, and Rep. Jan Schakowsky.