

INTERNATIONAL TRADE UNION CONFEDERATION

Colombia/US Trade Agreement Faces Workers' Rights Test

Brussels, 17 May 2016 (ITUC OnLine): The US/Colombia Trade Promotion Agreement is being tested in a landmark case in the US brought by Colombian and US trade unions, which details the consistent failure of the Colombian government to fulfil its obligations to respect international labour standards and protect workers from violence, abuse and exploitation. The case, lodged with the US government, will be a key test of the value of labour clauses in the TPA and other international trade pacts. It cites two of the more serious examples - a four-year campaign of violence and intimidation by Canadian-based multinational Pacific Rubiales against its 12-thousand strong workforce, and sugar company Ingenio La Cabaña, which has a similar track record.

Sharan Burrow, ITUC General Secretary, said “These companies are responsible for sustained campaigns of physical violence and intimidation against their own workforce – people who have been trying to get their employers to respect their right to form or join a union. This violates the responsibilities that the US and Colombia both signed up to in the TPA. Both governments have a responsibility to workers, rather than simply letting powerful corporations behave like dictatorships. Colombia’s government has failed to protect its own people, and now the US government should fulfil its responsibility to act as it should under the TPA provisions.”

Where labour clauses have been included in trade agreements negotiated between two or more countries, they generally have relatively weak enforcement mechanisms or none at all, and this case will be a major test of such clauses, given Colombia’s notorious labour rights reputation. A similar case is expected to be brought soon under the Canada/Colombia trade pact. The EU/Colombia agreement, however, includes no enforcement mechanism to support workers' rights.

In the 3 years since the US/Colombia TPA has been in force, workers attempting to exercise their rights have suffered at least 1,466 threats and acts of violence, including 99 assassinations, 6 kidnappings and 955 death threats.

The complaint, lodged with the US Office of Trade and Labor Affairs, is being brought by the national trade union centres CUT and CTC Colombia, AFL-CIO USA, Colombian unions SINTRAINAGRO and USO, and the Corporacion Colombiana para la Justicia y el Trabajo.

The ITUC represents 180 million workers in 162 countries and territories and has 333 national affiliates.

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