AFL-CIO NEWS

For Immediate Release: April 15, 2012
Contact: Josh Goldstein 202-251-7438, JGoldstein@aflcio.org

Statement by AFL-CIO President Richard Trumka on U.S.-Colombia Free Trade Agreement

Today's announcement that Colombia has successfully implemented key elements of the Labor Action Plan and that the U.S.- Colombia trade agreement will enter into force on May 15 is deeply disappointing and troubling. It signals to average Colombians that their struggles are not our struggles. Rather than insisting that the Colombian Government honor its promises to Colombia's working class, our government signaled with today's decision that a little improvement is good enough. If a little improvement were good enough, women might still be fighting for the right to vote, and our workplaces would be filled with children. Premature certification of the Labor Action Plan undermines the early signs of progress that have been achieved for Colombian workers – and could prevent further progress.

Rather than moving to prematurely implement the U.S.-Colombia FTA, President Obama today should have signaled that he stands shoulder to shoulder with the working people of Colombia and the U.S. and will continue to fight for their right to improve their working conditions and standards of living. On behalf of the working families of both nations, the AFL-CIO, CUT, and CTC strongly oppose today's announcement and urge our governments to redouble their efforts to ensure that Colombian workers can organize to improve their lives in a climate of respect for their fundamental rights, without fear for their own safety or that of their families. We regret that the Administration has placed commercial interests above the interests of workers and their trade unions.

###

Joint Statement by AFL-CIO, CUT, CTC on U.S.-Colombia Free Trade Agreement

The AFL-CIO, CUT, and CTC, the national labor organizations of the U.S. and Colombia, join in opposing today's announcement that the U.S.–Colombia Free Trade Agreement (FTA) will soon enter into force.

In April 2011, the U.S. and Colombia agreed to an Action Plan on Labor Rights intended to "protect internationally recognized labor rights, prevent violence against labor leaders, and prosecute the perpetrators of such violence" in Colombia. Though the Action Plan includes some measures that Colombian unions and the AFL-CIO have been demanding for years, its scope was too limited: it resolved neither the grave violations of union freedoms or human rights.

We have been monitoring the progress of the Action Plan and conclude that, although new laws and directives are in place, the Government of Colombia has not yet demonstrated successful implementation.

Workers across the whole economy continue to be forced into indirect employment relationships—preventing them from exercising their rights to free association and collective bargaining—because the Government has not completely lived up to its promises regarding “cooperatives” and other employment relationships that affect labor rights. Nor has the Government of Colombia compiled a successful record of criminal prosecutions of employers who illegally interfere with workers’ fundamental rights. Labor activists and other human rights defenders remain subject to threats and violence, including murder, when they stand up to fight for their rights.

We fear that prematurely declaring the plan a success will not only halt progress, but lead to backtracking. Today’s announcement shortcuts the work-in-progress that is the Action Plan and removes a key incentive that has been motivating reform.

In addition, we agree that the underlying trade agreement perpetuates a destructive economic model that expands the rights and privileges of big business and multinational corporations at the expense of workers, consumers, and the environment. The agreement uses a model that has historically benefitted a small minority of business interests, while leaving workers, families, and communities behind.

Rather than moving to implement the FTA, we urge the leadership in both countries to re-examine not only the progress on the Action Plan, but the entire FTA. A new trade model that creates jobs, boosts economic development, and increases standards of living in both countries is possible. We must work together to delete the provisions that imperil worker rights and freedoms as well as public interest regulations. Instead, we should add provisions to ensure stronger worker protections, a healthy environment, safe food and products, and the ability to regulate financial and other markets to avoid crises like that of 2008.

CUT
President: Luís Miguel Morantes A.
General Secretary: Rosa Elena Flerez G.

CTC
President: Tarcisio Mora Godoy
General Secretary: Domingo Rafael Tova Arrieta

AFL-CIO
President: Richard L. Trumka
Secretary-Treasurer: Elizabeth Shuler
Executive Vice President: Arlene Holt Baker

En Español:

La AFL-CIO, la CUT, y la CTC, centrales sindicales de los EE.UU. y Colombia, se unen en la oposición al anuncio de hoy de que el Tratado de Libre Comercio (TLC) entre EE.UU. y Colombia pronto entrará en vigor.

En abril del 2011, los EE.UU. y Colombia acordaron un plan de acción sobre los derechos laborales destinada a "proteger derechos laborales internacionalmente reconocidos, prevenir la violencia contra dirigentes sindicales, y enjuiciar a los autores de esa violencia" en Colombia. Aunque el plan de acción incluye algunas medidas que los sindicatos colombianos y la AFL-CIO han estado pidiendo durante años, su alcance realmente ha sido muy limitado: no se resolvió ninguna de las graves violaciones de las libertades sindicales o los derechos humanos.

Hemos estado monitoreando los avances del Plan de Acción y concluimos que a pesar de nuevas leyes y directivas emitidas, el Gobierno de Colombia no ha demostrado aún una implementación exitosa. Los trabajadores de todas las ramas económicas siguen siendo relegados a un empleo indirecto y por lo tanto precario que les impide ejercer su derecho a la libre asociación y a la negociación colectiva porque el Gobierno no está completamente a la altura de sus promesas en relación con la eliminación de las "cooperativas de trabajo asociado" y otras formas de vinculación, como las nuevas SAS (Sociedades anónimas simplificadas), que afectan los derechos laborales. El Gobierno de Colombia tampoco acumuló un récord de éxito de los procesos penales de los empleadores que ilegalmente interfieren con los derechos fundamentales de los trabajadores. Los activistas laborales y defensores de derechos humanos siguen siendo objeto de amenazas y de violencia, inclusive asesinatos, cuando se levantan para luchar por sus derechos.

Tememos que declarar prematuramente el éxito del Plan, no sólo detendrá el progreso, sino que retrocederá. El anuncio de hoy cierra los accesos directos del trabajo en marcha y elimina un incentivo clave que ha motivado la reforma.

Además, estamos de acuerdo en que el tratado comercial subyacente perpetúa un modelo económico que expande los derechos y privilegios de las grandes empresas y corporaciones multinacionales a costa de los trabajadores, consumidores y el medio ambiente. El acuerdo utiliza un modelo que históricamente ha beneficiado a una pequeña minoría de los intereses empresariales, dejando a los trabajadores, familias y comunidades atrás.

En lugar de avanzar para implementar el TLC, instamos a los dirigentes de ambos países a volver a examinar no sólo los avances en el Plan de Acción, sino también a todo el acuerdo de libre comercio. Un nuevo modelo de comercio que genere empleo, impulse el desarrollo económico y aumente los niveles de vida en ambos países, es posible. Debemos trabajar juntos para eliminar las disposiciones que ponen en riesgo los derechos de los trabajadores y las libertades así como las regulaciones de interés público. En su lugar, hay que añadir disposiciones para garantizar la mayor protección de los trabajadores, un medio ambiente sano, productos y alimentos seguros y la capacidad para regular los mercados financieros y de otros, para evitar crisis como la del 2008.

CUT
President: Luís Miguel Morantes A.
General Secretary: Rosa Elena Flerez G.

CTC
President: Tarcisio Mora Godoy
General Secretary: Domingo Rafael Tova Arrieta

AFL-CIO
President: Richard L. Trumka
Secretary-Treasurer: Elizabeth Shuler
Executive Vice President: Arlene Holt Baker