Unthinkable! Undrinkable!

Stopping the Coca-Cola Murders

A campaign resource packet for campus organizers.

Included in this packet:

- Campaign Overview
- An Overview of the Evidence
- Unthinkable! Undrinkable! Petition
- Sample Resolutions
- Background Articles

A project of
United Students Against Sweatshops
888 16th Street NW, Suite 303
Washington, D.C. 20006
Phone: (202) NO-SWEAT
Web: www.usasnet.org
Unthinkable! Undrinkable! A Campus Campaign Overview

The materials in this packet are designed to help student activists launch campaigns demanding that Coca-Cola stop its abusive treatment of workers in the global economy.

Why Target Coca-Cola?

Coca-Cola is one of the world’s most powerful and profitable corporations. In 2002, Coca-Cola earned nearly $4 billion in profits, enough to pay its Chairman, Douglas Daft, $105 million in compensation. Yet, despite repeated pleas for help, Coca-Cola has not found the time or resources to insure the most basic safety of the workers who bottle its products or prevent massive environmental devastation in the communities where it does business.

Death Squads in Colombia

Colombia has long been the most dangerous country in the world to organize a union. Since 1986, roughly 4000 Colombian trade unionists have been murdered. In 2000, three of every five trade unionists killed in the world were Colombian. The vast majority of these murders have been carried out by right-wing paramilitary groups (aka death squads) on an ideological mission to destroy the labor movement. These groups often work in collaboration with the official U.S.-supported Colombian military, and in some instances with managers at plants producing for multinational corporations. In the case of Coca-Cola, according to numerous credible reports, the company and its business partners have turned a blind eye to, financially supported, and actively colluded with paramilitary groups in efforts to destroy workers’ attempts to organize unions and bargain collectively.

- Since 1989, eight union leaders from Coca-Cola plants have been murdered by paramilitary forces. Dozens of other workers have been intimidated, kidnapped, or tortured.
- In Carepa, members of the paramilitary murdered union leader Isidro Gil in broad daylight inside his factory’s gates. They returned the next day and forced all of the plant’s workers to resign from their union by signing documents on Coca-Cola letterhead.
- The most recent murder attempt occurred on August 22, 2003, when two men riding motorcycles fired shots at Juan Carlos Galvis, a worker leader at Coca-Cola’s Barrancabermeja plant.
- There is substantial evidence that managers of several bottling plants have ordered assaults to occur and made regular payments to leaders of the paramilitary groups carrying out the attacks.

These ongoing abuses have taken their toll on Coca-Cola workers’ efforts to organize. Their union, SINALTRAINAL, has suffered a dramatic loss in membership, as worker leaders are intimidated or forced into hiding. SINALTRAINAL has appealed for solidarity and allies in the U.S. labor and social justice movements have answered their call. The United Steelworkers and the International Labor Rights Fund have filed a lawsuit against Coca-Cola on behalf of the union and victims’ families in U.S. federal court. Other unions including the Teamsters and many community groups have launched public campaigns targeting Coke. If history is a guide, students could be the needed force that finally moves Coke to stop denying responsibility and take action to protect its workers’ lives.
Environmental Devastation in India

In India, the rallying cry is “Somebody drank my water!” Communities in regions where Coca-Cola has opened factories are launching grassroots campaigns demanding that Coca-Cola stop its pattern of draining common water resources and polluting the scarce water than remains.

- At Coca-Cola’s factory in Plachimada, Kerala, the company extracts more than 800,000 liters of ground water free of charge each day, as the local community thirsts for drinking water because their wells have run dry. Because the factory has drained the local groundwater table, agricultural fields on which thousands of local people subsist have been destroyed.
- In Mehdigank, Coca-Cola is accused to spewing toxic chemicals into the agricultural fields surrounding its factory and illegally occupying a portion of common community property. When community members staged a protest at the factory in 2002, they were beaten severely by 200 police personnel sent to “protect” the plant and 50 gun-wielding private security guards.
- In late summer 2003, authorities in West Bengal, Punjab and Rajasthan banned the sale of Coca-Cola products based on a New Dehli research group’s finding of dangerous levels of pesticide residue in a sample of locally made drinks.

Campaigns to hold Coca-Cola accountable for its practices are spreading quickly throughout India and the campaign has garnered significant attention. But activists complain that Coca-Cola has assigned the entire “problem” to its public relations department rather than addressing the serious issues that are being raised.

Denying AIDS Drugs in Africa

Health care activists are pressuring Coca-Cola assist its workers in Africa who are HIV positive or suffer from AIDS. With more than 100,000 African employees, Coca-Cola is Africa’s largest private employer. Demonstrators in New York, Washington, Atlanta, Boston, Barcelona and elsewhere in the summer of 2002 demanded that Coca-Cola enact a “comprehensive and sustainable workplace treatment program.” Although the company has now committed in writing to enrolling all of its African workforce in an HIV/AIDS program that includes antiretroviral therapy, Coke still faces widespread criticism for stalling on its implementation. For the most current information, go to www.treat-your-workers.org, www.healthgap.org, and www.globaltreatmentaccess.org.

What Can Students Do?

As students, we have a great deal of power to pressure Coca-Cola to stop its abuses. This is true for at least two reasons. First, as anyone who has seen Coke’s TV commercials and advertisements may have noticed, Coca-Cola views young people, and particularly students, as its highest priority demographic target. To the company, young people are potential “customers for life” – if they can win our loyalty before their competitors do. Thus, young people hold more sway than we might think when we publicly attack the company’s image and spread the message to our peers.

Second, students have a powerful leverage over Coca-Cola through our universities. As we have found with collegiate licensed apparel, food and beverage companies like Coca-Cola are eager to develop relationships with universities, both to access a profitable institutional market and associate itself with the prestige of colleges and universities. In the past several years, Coca-Cola has stepped up its efforts to negotiate major contracts with universities. These contracts go beyond simply installing vending machines on campuses to include sponsorship of sports teams...
and unique marketing relationships. The University of California at Berkeley, for example, recently entered into a 10-year contract with Coca-Cola that, among other things, lets the company create specially designed UC Berkeley-themed vending machines and marketing materials. The university will receive a million dollars a year in return.

**Getting Started**

These factors can give students real leverage over the company. There are many tangible things students can do to get started.

- **Spread the Word:** Organize a campus or community video screening and dialogue about Coke and human rights in Colombia. There are several excellent videos available, including *State of the Union*. Contact the Campaign to Stop Killer Coke for free copies. There are also some terrific speakers on this issue who will be happy to make presentations, including Colombian workers and union leaders who are currently touring the U.S. For details, contact the people listed at the end of this document.

- **Pressure Coca-Cola Board Members at Universities or Local Offices:** Many of the 15 current members of the Coca-Cola Board of Directors have long-standing ties to colleges and universities. For example, Donald McHenry is a faculty member at Georgetown University in Washington, D.C. You should contact the Campaign to Stop Killer Coke (phone: 212-979-8331; website: www.killercoke.org; or e-mail: stopkillercoke@aol.com) for more information on academic and/or alumni ties of other board members and executives at Coke and/or SunTrust Banks, which is “Coke’s bank” and a principal target of the campaign.

- **Take a Stand at Coca-Cola Events and Presentations:** Coca-Cola representatives are constantly speaking at colleges and universities and sponsoring school events. Keep an eye out—these are terrific opportunities for letting the company know we’re out here. When the Coca-Cola representatives return to headquarters and have to report that their recruitment or marketing events were ruined because everyone in the audience was holding flyers about the company’s environmental practices in India or because students kept asking questions about murders in Colombia, you can be sure that higher-ups will take notice.

- **Bombard Coca-Cola with the “Unthinkable! Undrinkable!” Petition:** The Campaign to Stop Killer Coke can supply you with “Unthinkable! Undrinkable!” petitions addressed to the Coca-Cola Board of Directors in English and Spanish. Also available from the Campaign are brochures and leaflets explaining the situation in Colombia, as well as stickers and other materials. A copy of the petition is included in this packet. For hard copies, call the Campaign to Stop Killer Coke at (212) 979-8331 or visit [www.killercoke.org](http://www.killercoke.org).

- **Target Coca-Cola Through Your Universities:** As mentioned, Coca-Cola has negotiated contracts with hundreds of colleges and universities throughout the country. Indeed, most campuses have a contract with Coca-Cola or Pepsi or both. These contracts range from simple arrangements to sell Coca-Cola on campus to elaborate sponsorship or trademark licensing arrangements. Coca-Cola is of course very sensitive to the concerns of its large institutional business partners. Thus, these contracts represent an incredible source of leverage if you can get your university to pressure Coca-Cola or reconsider its contract with the company. Here are some simple steps to get started.

  1. **Find the Contract:** The quickest way to find out if your campus has a contract with Coca-Cola is simply by walking around and noticing if there are Coca-Cola vending machines, fountains, or other signs on campus property. If there are, you’ve got a
contract. The agency on campus that holds the contract/s varies from campus to campus –
they are often held by housing and dining services, athletics departments, trademark
licensing offices, or special self-contained agencies called “auxiliaries.” You might start
by asking the manager of your campus book store what he or she knows. If you’ve had
dealings with administrators through an anti-sweatshop policy, those contacts may be
useful as well.

2. **Identify the Contract's Basic Provisions:** Once you have established the agency on
campus that holds the contract, find out as much about it as you can. Ask for a copy of
the contract from whichever campus agency holds it. (In some cases, this may take some
persistent phone calls.) But if you cannot get a hold of the contract, just try to find out as
much about it as you can. Find out how much money the contract is worth, and if the
arrangement allows Coca-Cola to use of the university’s name or logo or promote itself
through university sports programs or other public events – this can be useful because it
raises issues related to campus anti-sweatshop policies. (Again, you may be able find this
out simply by walking around campus.)

3. **Have Your Student Government Pass a Resolution:** With a basic knowledge of the
university’s relationship to Coca-Cola, you’re ready to start making noise. A good way
to get started is by asking your student government to pass a resolution of concern. At
many colleges and universities, passing a resolution is very easy to do and requires
minimal work. Be sure to include as a resolve in the resolution that your student
government will formally ask that your school take seriously its commitment to
upholding human rights by reconsidering its business ties to Coca-Cola. If you can,
include references to the specific nature of your school’s contract and, if applicable,
language referring to your school’s anti-sweatshop policy as a precedent for taking action
regarding these issues. Two sample resolutions are included in this packet – from UC
Berkeley and the University of Montana. Remember to notify the campus and
community newspapers before the resolution passes – it could be a great hook for an
article.

4. **Encourage university administrators to reconsider existing or new contracts with Coca-Cola in light of its human rights record in Colombia:** While Coca-Cola may not
care to listen to individual students, the company is definitely going to take concerns
raised by campus administrators seriously – these are their true business partners and
there is real money at stake. Arrange for a meeting with administrators to present your
resolution and begin a serious dialogue about the school’s contract with Coca-Cola. The
shape of this dialogue will vary from campus to campus. If the contract is not yet
completed or is soon up for renewal, you may propose that the school condition its
relationship with Coca-Cola on the company’s human rights practices and make
decisions accordingly. If your campus is in the middle of a long term contract with Coca-
Cola, you may argue that Coca-Cola is now in violation of university protocols and that
the university should immediately make appropriate changes to its relationship with
Coca-Cola. Whatever the situation, the overriding message is simple:

- It is our duty to make sure that the companies that our university does business with,
  and loans our name to, act responsibly and respect basic human rights.
- To keep the university’s business, Coca-Cola needs to stop the violence against its
  workers and agree to participate in an independent inquiry of its practices.

Getting your campus administrators to make a bold decision to reconsider the contract
with Coca-Cola will require persuasive lobbying as well as pressure, and it will take time
and creativity. It can be useful to bring sympathetic faculty and elected student leaders to meet with administrators. USAS has also developed a PowerPoint presentation you can present to administrators which includes specific information about Coca-Cola’s abuses in Colombia – contact USAS staff for a copy. Petitions representing individual students or organizations can help demonstrate support for your position. Think also of creative ways to attract media attention – perhaps by performing “guerilla theatre” plays or writing letters to the editor. Anything you do will likely pay off.

As a most minimal and preliminary step, ask a relevant and sympathetic administrator to write a letter of concern to Coca-Cola about its human rights practices in Colombia. The letter should make a specific request for information and follow-up, asking for a meeting with a Coca-Cola representative.

The attached overview should prepare you for Coca-Cola’s likely responses.

- **Get in Touch:** USAS has started a new national email list for students working on campus Coke campaigns. Remember to introduce yourself to the group. To subscribe, email: cokecampaign-list@yahoogroups.com.

- **Contact the Local Coca-Cola Workers Union:** While we are advocating on behalf of workers in Colombia, we should remember to be in touch with Coca-Cola workers in the U.S. The Teamsters union represents Coca-Cola workers throughout the country and is a vocal advocate of Coca-Cola workers in Colombia. You should contact the Teamsters Local in your region and let them know what your group is doing. You can find a list of Teamsters Locals at www.teamsters.org.

**Further Resources:**

The following websites provide current and in-depth information on the Coca-Cola campaign and related issues:

- **Campaign to Stop Killer Coke:** www.killercoke.org
- **CokeWatch:** www.cokewatch.org
- **CorpWatch:** www.corpwatch.org
- **International Labor Rights Fund:** www.laborrights.org
- **United Steel Workers of America:** www.uswa.org
- **Colombia Watch:** www.colombiawatch.org
- **U.S. Labor Education in the Americas Project:** www.usleap.org
- **Committee for Social Justice in Colombia:** www.socialjusticecolombia.org
- **Health Gap Global Access Project:** www.treat-your-workers.org
Coca-Cola Campaign Contacts:

- Ray Rogers
  Campaign to Stop Killer Coke
  Stopkillercoke@aol.com
  (212) 979-8331

- Lenore Palladino
  United Students Against Sweatshops
  lenore@usasnet.org
  (202) NO-SWEAT

- Camilo Romero
  United Students Against Sweatshops
  carito@uclink.berkeley.edu
  (510) 849-2684

- Dan Kovalik
  United Steelworkers of America
  Dkovalik@uswa.org
  (412) 562-2518

- Jana Silverman
  Columbia University
  jks95@columbia.edu
  (917) 907-0142

- Scott Nicholson
  Community Action for Justice in the Americas
  snicholson@mtwi.net
  (406) 728-3280
Summary

This brief report examines allegations that the Coca-Cola Company has committed and continues to commit serious human rights violations in Colombia, South America. Workers and advocates claim that managers of Coca-Cola's contracted bottling facilities have, over a period of more than a decade, maintained a working alliance with paramilitary groups to threaten, kidnap, torture, and murder workers involved in trade union activism. Because of the grave danger that speaking out entails for workers and union leaders and the respectable organizations collecting evidence and championing their cause, we believe these claims to be based on credible evidence and we find them deeply troubling. Indeed, some of the alleged offenses remain undisputed. Moreover, Coca-Cola’s responses to the charges – particularly the claim that the company should not be held accountable for the practices of its contracted bottlers – strike us as lacking merit and in some cases nonsensical. We believe that universities have a moral obligation and a responsibility under their codes of conduct for trademark licensees to insist that Coca-Cola take steps to protect its workforce from further violence and to provide universities with an accounting of its actions in this regard.

Introduction

In the past several years, worker advocates have raised serious concerns about Coca-Cola’s human rights record in Colombia. In these pages, we seek to provide campus stakeholders with information that may be helpful in assessing Coca-Cola’s labor practices and the company’s adherence to university codes of conduct. We begin with a brief overview of the allegations made against Coca-Cola, then evaluate the company’s responses to these allegations, and finally address some additional questions that pertain specifically to Coca-Cola’s relationship with universities.

Allegations of Human Rights Abuse and Code of Conduct Violations

According to testimony from workers and other witnesses, Coca-Cola and its Colombian business partners have, over a period spanning more than a decade, turned a blind eye to, financially supported, and actively colluded with paramilitary groups in efforts to destroy workers’ attempts to organize unions.

- Since 1989, eight union leaders from Coca-Cola plants have been murdered by paramilitary forces, some of them attacked within their factory’s gates. The most recent murder occurred on August 31, 2002, only nine days after a Colombian high court accepted the victim’s lawsuit against Coca-Cola.

- Workers have also reported being intimidated with threats of violence, kidnapped, tortured, and unlawfully detained by paramilitaries working with the blessing of, or in collaboration with, company management.

It goes without saying that these abuses represent serious violations of human rights law. They also represent non-compliance with the Freedom of Association, Harassment or Abuse, and
Health and Safety provisions of university codes of conduct to which Coca-Cola is party through its contracts with universities, as well as Coca-Cola’s own workplace standards code of conduct.

The International Labor Rights Fund and the United Steelworkers filed a lawsuit in U.S. Federal Court in July 2001 against Coca-Cola and its partners in Colombia on behalf of the family of one of the murdered workers and other victims of the threats and violence.ii The suit seeks injunctive relief and damages for victims and their families. Students and consumer activists throughout the United States and abroad have also launched a public campaign pressuring Coca-Cola to take steps to prevent more violence against its workers and to participate in an independent inquiry of its practices.

The allegations of human rights abuses primarily concern two of Coca-Cola’s bottling and distribution contractors currently operating in Colombia: Bebidas y Alimentos and Panamco. The following is a summary of the allegations made in the lawsuit and in other public statements by workers and union staff:iii

**Alleged Human Rights Violations at Bebidas y Alimentos:** Workers and advocates have accused Coca-Cola and its partners of irresponsible practices at the Bebidas y Alimentos plant in city of Carepa, Colombia:

- Since 1994, at least five workers have been assassinated by members of the paramilitary, and others have been kidnapped and tortured.

- A Bebidas y Alimentos plant manager publicly announced that he had ordered the paramilitary to destroy the workers’ union, SINALTRAINAL. The same plant manager was seen socializing with members of the paramilitary and providing them with Coca-Cola products.

- In response to threats against workers’ safety, the union repeatedly pleaded with Bebidas y Alimentos to provide heightened security for its workers. Their proposals were denied by the company’s owner or received no response.

- In 1996, two months after the union specifically requested help to ensure his safety, paramilitary members entered Carepa plant and murdered union leader Isidro Gil inside the factory. They returned to days later and forced all of the plant’s workers to resign from the union.

- Following the destruction of the union in Carepa, the company replaced experienced workers who had earned $380 - $450 a month with new employees earning $130 a month, Colombia’s minimum wage.

**Alleged Human Rights Violations at Panamco:** Workers and advocates have made similar accusations against Coca-Cola subcontractor Panamco in facilities in the cities of Barrancabermeja, Cúcuta, Bucaramanga, and Barranquilla:

- At Panamco’s Barranquilla facility, workers involved in trade union activism have been threatened numerous times by paramilitary groups. On August 31st, 2002, paramilitaries murdered former union activist Adolfo de Jesus Munera Lopez on his mother’s door step. This murder occurred just nine days after a Colombian high court accepted Munera Lopez’ lawsuit against Coca-Cola and its partners.
• At the bottling plant in Barrancarbermeja, the president and vice president of the SINALTRAINAL local have faced numerous death threats, including graffiti written on the factory’s walls, and at least one assassination attempt. On August 22nd 2003, two men riding on a motorcycle fired several shots in broad daylight at the union’s vice president, Juan Carlos Galvis, barely missing him. The gunmen have been identified by local journalists as members of a paramilitary group. Within the past year, witnesses have reported seeing paramilitary leaders enter the Barrancarbermeja facility freely and meet with plant managers.

• In addition, at the Barrancarbermeja plant, on several occasions management has openly sided with paramilitary groups and released public communications accusing SINALTRAINAL of being a group of armed guerillas. In a community dominated by paramilitary groups, such accusations can place workers’ lives in grave jeopardy.

• At the Cúcuta plant, workers have been kidnapped, tortured, and interrogated about their union activities by members of the paramilitary. After receiving numerous threats, including a tip from a plant security guard that he was in imminent danger, at least one local union leader fled his community and continues to fear for his life.

• At the Bucaramanga plant, the facility’s chief of police accused members of the union’s executive board of planting a bomb in the plant during a strike. After enduring beatings and torture, and spending six months in prison – prolonged by a lawsuit brought by Panamco against the workers for their trade union activities – the Regional Prosecutor released the workers, finding that there never in fact had been a bomb in the factory as the company claimed.

**Additional Evidence of Ongoing Collusion with Paramilitary Groups**: The following are examples of evidence indicating recent and ongoing collusion between Coca-Cola plant managers and paramilitary leaders.

• Monthly payments from John Ordonez, an official of Panamco, to paramilitary leaders in Cucuta, as of at least March 2003.

• A public announcement on January 13, 2003 by paramilitary forces that they intend to kill members of SINALTRAINAL for interfering with the business of Panamco at their Barranquilla facility, and that in doing so they are acting under instructions from management.

• Admissions by paramilitary leaders to Steven Dudley, a reporter for National Public Radio, that the paramilitaries maintain bases at all Coca-Cola plants in Colombia in order to “protect them”.

• Recent meetings between Reynaldo Gonzalez and Martha Yaneth Orduz, managers at Panamco’s Barrancabermeja bottling plant, and paramilitary leaders such as Saul Rincon.

• A recent friendly meeting between high-ranking officials at Panamco and Carlos Castaño, leader of AUC, the paramilitary group responsible for most of the violence against workers.

**Coca-Cola’s Response to Allegations of Human Rights Abuse**

Through press releases and other statements to the media, Coca-Cola representatives have consistently denied any wrongdoing in the company’s business practices in Colombia. The company’s response has centered on several key assertions, each of which seem to lack merit.
1. Coca-Cola asserts that it has no control over the business practices of its subcontractors and therefore is not accountable for any wrongdoing done by them. “Bottlers in Colombia are completely independent of the Coca-Cola Company,” says Coca-Cola Colombia’s representative Pablo Largacha. iv “We do not own or operate the plants,” claims Coca-Cola spokesman Rafael Fernandez Quiros. v 

   Efforts by multinational firms to deflect responsibility for the labor practices of their subcontractors have been largely discredited in recent years. After nearly a decade of pressure from anti-sweatshop activists, for example, Nike and most other major apparel companies now claim some level of responsibility for all of the workers in their supply chains. Universities have even sought to address the issue by explicitly stating in their codes of conduct that the policy “shall apply to each of the licensee’s contractors.”vi

   We find Coca-Cola’s claims of impotence most remarkable in view of what appears to be a strikingly close relationship between Coca-Cola and its bottlers. Both of the bottling companies in question, Bebidas y Alimentos and Panamco, exist solely for the production and distribution of Coca-Cola products. A division of Coca-Cola, Coca-Cola FEMSA, even owned a controlling 24% interest in Panamco stock and filled two seats on its Board of Directors, until it decided to buy the company’s operations outright in 2003.

   Moreover, Coca-Cola requires all companies granted the right to bottle its products to submit to a “Bottler’s Agreement,” giving Coca-Cola authority to evaluate and demand changes in its practices up to the smallest detail. According to Coca-Cola’s 10-K report filed with the Securities and Exchange Commission in December in the U.S. of 2000, for example, “Coca-Cola must approve the types of container used in bottling and controls the design and decoration of the bottles, boxes, cartons, stamps, and other materials used in production.”vii The Agreement also includes requirements for employee qualification and appearance and requires bottlers to adhere to Coca-Cola’s own code of conduct for the treatment of employees. Coca-Cola has the right to terminate or suspend any bottling relationship for non-compliance with the Agreement’s conditions. This arrangement suggests, contrary to the company’s claims, that Coca-Cola in fact has a great deal of power over its contractors to ensure responsible practices.

   Indeed, Coca-Cola has in the past used its Bottler’s Agreements as a basis for intervening to protect workers’ rights. When a similar wave of murders against trade unionists occurred in Coca-Cola bottling plants in Guatemala during the 1980’s, Coca-Cola was able to stem the violence by forcing an independently owned franchise, whom workers charged was responsible for the attacks, to sell its business to a third party. Coca-Cola has demonstrated that it has the power to intervene in order to ensure workers’ safety – it is only a matter of its will do so.

2. Coca-Cola argues that in civil war-ridden Colombia, violence is inevitable. Coca-Cola and its contractors are themselves victims of paramilitary action and civil strife. “No one tells the paramilitaries what to do,” says Bebidas y Alimentos owner Jeff Kirby. viii “You don’t use them, they use you.”

   Certainly, operating a major business in a country like Colombia carries known risks. One would hope that Coca-Cola and its partners would make at least basic, remedial efforts to protect workers from abuse. At the very least, one would hope Coca-Cola and its business partners would not actively encourage violence against trade unionists. Yet, evidence suggests that collusion between Coca-Cola plant managers and paramilitary leaders is
widespread and ongoing. As noted, within the past six months, workers have reported witnessing meetings between Coca-Cola plant managers and paramilitary leaders.\textsuperscript{5} There is documentation that at least one Coca-Cola plant manager was making monthly payments, as March of 2003, to paramilitary leaders.\textsuperscript{5} Paramilitary leaders recently boasted to a National Public Radio reporter that they maintain bases at all of the Coca-Cola bottling facilities in Colombia in order to ‘protect them.’\textsuperscript{xvi}

There are also documented instances in which Coca-Cola and its agents, in the face of credible threats, appear to have declined to take even the most minimal precautions to protect workers. In the case of the Carepa factory noted above, the union informed officials of Coca-Cola as well as Bebidas y Alimentos that the manager of the plant had threatened violence against union members. These warnings were received several months before Isidro Segundo Gil was murdered inside the factory compound. However, the union’s pleas for assistance were apparently denied or ignored. The fact that the murders and intimidation have taken place over a number of years – more than a decade – indicates further that the Coca-Cola Company has not acted adequately to ensure workers’ safety.

3. **Coca-Cola denies any wrongdoing, asserting that the claims have “been rejected repeatedly by the Colombian justice system.”**\textsuperscript{xvii}

This claim might be more persuasive in a country governed by a rule of law and in which victims see some chance that their abusers might be punished. Colombia leads the world in trade union assassinations (including more than 4,000 murders since the mid 1980’s), yet since 1986 these crimes resulted in only six convictions in Colombian courts – a conviction rate of 0.15\%.\textsuperscript{xviii} That companies as politically influential as Coca-Cola and its partners have avoided guilty verdicts under this system is not compelling evidence of their innocence.

4. **Coca-Cola suggests that the allegations are a politically motivated effort to “garner publicity and besmirch the reputation of the company and its partners.”**\textsuperscript{xix}

The allegations described in these pages were made originally by rank-and-file workers and their union SINALTRAINAL and have since been championed by human rights advocates in the U.S. and elsewhere. These workers and advocates speak out at great risk to their personal safety and that of their families. In August of 2002, Adolfo de Jesus Munera, whose case against Coca-Cola had just been accepted by Colombia’s Constitutional Court, was murdered at his mother’s doorsteps by an unknown gun man. In 2000, having murdered Isidro Gil several years before, the paramilitaries returned to murder his wife, who provided information for the case, leaving their children without parents. To claim that workers’ charges are irresponsible acts to “garner publicity” is to discount the very real terror that workers continue to endure and the tremendous courage it must take to speak out under such dangerous conditions.

5. **Coca-Cola claims that it has “extensive normal relations” with unions and workers in Colombia\textsuperscript{v} and that their employees “benefit from this vibrant collective bargaining system.”**\textsuperscript{xxvi}

These claims simply do not make sense. The union representing the largest portion of Coca-Cola workers in Colombia, SINALTRAINAL, has launched both a lawsuit and an international consumer campaign against the company. Eight union leaders from Coca-Cola plants have been assassinated; numerous others have been intimidated, kidnapped, and tortured. All of this has occurred in a climate in which Coca-Cola has benefited from the diminished power of the union brought about by this violence. For example, as noted above,
following the forced decertification of the SINALTRAINAL Local representing workers at the Bebidas Y Alimentos plant in Carepa, wages were cut to approximately one third of their former amount. This environment could hardly be labeled “vibrant” or “normal” by most reasonable standards.

In addition, Coca-Cola representatives have made the claim that other unions in Colombia do not support SINALTRAINAL’s charges. In response to this assertion, the International Labor Rights Fund notes: “while there are a couple of unions (most notably the one which took over at the Carepa plant after SINALTRAINAL was wiped out by the paramilitaries there) which, for their own reasons, are not in support of the campaign against Coca-Cola, SINALTRAINAL has earned the active support of the largest union federation in Colombia, the CUT (Unitary Workers Federation), and Colombia’s National Labor School, which the U.S. State Dept. relies upon for data about Colombian union matters. In the United States, the AFL-CIO, the United Steelworkers of America, the International Labor Rights Fund, Witness for Peace, SOA Watch and the International Longshore and Warehouse Union are among SINALTRAINAL’s leading supporters — a list that is growing longer every day.”

6. Coca-Cola also claims that it has been vindicated in U.S. Court.

While it is true that a U.S. Federal Court has recently dismissed the U.S. based wing of the Coca-Cola Company as a defendant in the lawsuit, it crucial to note that the case has been cleared to go forward against Coca-Cola’s partners in Colombia and elsewhere. As described above, these partners, Bebidas y Alimentos and Panamco (now owned and controlled by “Coca-Cola FEMSA”), are only nominally independent of the U.S. based Coca-Cola Company and their operations are part and parcel of the Coca-Cola business empire. The ruling referred to above was based on technical reasons having nothing to do with the company’s moral culpability and the case may very well proceed against the U.S. based Coca-Cola Company once it moves through the appeals process. U.S. court decisions in no way even resemble a “vindication” of Coca-Cola.

Other Questions Regarding Coca-Cola and its Relationship to Universities

Beyond Coca-Cola’s denials, campus community members may have other questions regarding Coca-Cola’s practices and the company’s relationship to universities. We try to address some of them here.

1. Are the claims against Coca-Cola based on credible evidence?

The allegations summarized above are based on interviews with and sworn affidavits by workers, union staff, and community members in the regions involved. As just noted, workers’ desire to speak out to lawyers and journalists must outweigh the very real dangers of retaliation that speaking out entails. For this reason, we take the testimony represented here very seriously.

The workers’ and unions’ claims were gathered by responsible agents: independent journalists, local Colombian attorneys and advocates, and representatives of the United Steelworkers and the International Labor Rights Fund. The ILRF is one of the world’s most respected human rights groups in the area of labor rights. Its current director and former director sit respectively on the advisory boards of both of the major watchdog organizations that universities have joined to enforce their anti-sweatshop codes of conduct: the Worker Rights Consortium and the Fair Labor Association.
Moreover, many of the allegations presented above remain undisputed. For example, neither Coca-Cola nor its partners deny that paramilitary groups murdered union activist Isidro Gil within the gates of the Bebibas y Alimentos plant in Carepa. We have yet to even see specific refutations of the claim that the plant’s manager made public threats to destroy the union. Rather, Coca-Cola’s most consistent response has been something akin to “whatever violence occurred, we are not responsible.”

2. Isn’t this a matter for the courts to decide?

In the past, universities have never waited for a court decision to express their concern about the practices of their business partners or licensees and insist upon compliance with their code of conduct. University codes of conduct grant universities the authority to evaluate their licensees’ compliance based on whatever evidence they view as credible and to request information from licensees about how they are enforcing the code. After more than a decade of exposes of sweatshop labor practices, Nike has never been convicted of such a crime in court. But this did not prevent university students and administrators from expressing concern to the company when sweatshop conditions were revealed in one of its plants in Mexico in 2001.

Moreover, a decision in the court case will only establish if Coca-Cola is liable under a very specific set of laws, including the Alien Torts Claims Act (ATCA) — passed by the First Congress in 1789 — and the Torture Victims Protection Act, signed into law by Pres. George H. Bush in 1992. In the current case concerning Coca-Cola, the court is being asked to consider a different set of questions than our university now faces. For example, to win a claim under the Alien Torts Claims Act a plaintiff needs to prove that the government of the country in which the alleged abuse took place is complicit in the abuse. This criteria does not have to be met to for a company to be in violation of university codes of conduct.

Finally, even if the court finds that the ATCA does not apply in this instance, by no means would that decision clear Coca-Cola of violations of international labor rights conventions under the ILO or other provisions of human rights law. And it certainly would not absolve them of moral wrongdoing. Universities retain an obligation to expect responsible business practices from their corporate partners. The court’s decision is an entirely separate matter.

3. What can students hope to achieve through their complaints regarding Coca-Cola? What role can the University play in such a global problem?

Over the years, universities have played a powerful, positive role in promoting democracy and freedom of speech through their relationships with corporations. During the 1980’s for example, universities pressured their partners to divest from dealings with apartheid-era South Africa. Those efforts undoubtedly helped quicken the fall of legalized segregation in that country.

More recently, through the adoption and enforcement of anti-sweatshop codes of conduct, universities have played a positive role in moving companies such as Nike and Reebok to improve working conditions in their supply chains. One particularly celebrated example is the case of the Kukdong factory in Puebla, Mexico. In 2001, workers complained of code of conduct violations, including rancid cafeteria food and physical abuse by management at this subcontractor for Nike, Reebok, and many universities. Universities pressured the companies to intervene and several years later, Kukdong (now called “Mexmode”) stands in many regards as a model factory, with Mexico’s first independent garment workers union and remarkably improved conditions.
While universities generally established codes of conduct with licensed apparel in mind, most standing policies apply to all companies with whom universities maintain a trademark licensing relationship. The Worker Rights Consortium Code of Conduct, to which more than 100 Universities are party, applies to all companies producing goods “bearing the names, trademarks and/or images of one or more Member Institutions.” The Fair Labor Association, of which more than 175 universities are members, proclaims similar rules. In many instances, university contracts with Coca-Cola include a trademark licensing or corporate marketing arrangement and therefore should be considered within the codes’ scope of coverage. The University of California at Berkeley, for example, holds a contract with Coca-Cola that allows the company to use the University’s logo and image on new Coca-Cola vending machines and in marketing materials. For this reason, the University’s Code of Conduct is included as an addendum in the University’s contract with Coca-Cola.

But putting aside the technical issue of the codes’ scope of coverage, the abuses described in these pages certainly violate the spirit of these policies and of all other principles of corporate responsibility and social justice that universities avow. We believe that universities can play a positive role in the case of Coca-Cola’s practices in Colombia, by insisting that the company take basic steps to protect workers from future violence, provide universities with an accounting of its efforts in this regard, and submit to an independent inquiry of its practices. It is an opportunity to make a difference in a truly desperate situation.
This report was written with assistance from Jeremy Rayner, a graduate student at the City University of New York. The current version is adapted from a white paper presented to UC Berkeley administrators by the UC Berkeley student groups Students Organizing for Justice in the Americas and Colombia Support Network. Students and others are encouraged to use it for their own campaigns. Email blasi@uclink.berkeley.edu for an electronic version.


Ibid.

Ibid.


This comment was made by S’Bu Mngadi, Coca-Cola’s Director of Corporate Issues Management, during a presentation to the UC Berkeley Student Store Auxiliary Board on May 13th, 2003.

Campaign to Stop Killer Coke, “Killer Coke vs. The Truth: A Response to Denials and Distortions”, September 2003

Worker Rights Consortium Code of conduct. Available at: http://www.workersrights.org/coc.asp

Dear Coca-Cola Board Members,

I am shocked to learn of your indifference to the safety of workers who bottle your products. There are undisputed reports that Coca-Cola bottling plant managers in Colombia, South America, allowed and encouraged paramilitary death squads to murder, torture and kidnap SINALTRAINAL leaders and members in an effort to crush their union.

You dismiss such charges, but you can’t escape the fact that massive human rights violations have occurred. Coca-Cola is responsible for the actions of its partners in Colombia. Apart from any legal liability you will face, you have failed to use your influence to end violence against workers and their families. Your silence, both individually and as a board, is scandalous.

I ask you to act now to ensure that workers’ basic human rights are respected. I cannot support a company that profits from murder and torture. If you do not act responsibly, I will encourage my friends, family and colleagues not to purchase any Coca-Cola products, including Sprite, Fanta, Minute Maid, Nestea, Powerade, Swerve daily drink and Dasani water, nor to do business with SunTrust, the bank of “Killer Coke.”

Please let me know how you intend to address my concerns.

Sincerely,

Name

Address

City

State

Zip

Please sign and send this entire page to: Board of Directors, The Coca-Cola Co., P.O. Box 1734, Atlanta, GA 30301

These 15 Coca-Cola board members also serve as top policymakers on the boards of other companies, including: AT&T, Avon Products, Bristol-Myers Squibb, ChevronTexaco, Dell Computer, FleetBoston Financial, Georgia Pacific, General Electric, GlaxoSmithKline, Hilton Hotels, IBM, International Paper and The Washington Post.

It should be noted that Warren Buffett is Coke’s largest shareholder, owning more than 8.1% of its stock. SunTrust Banks is the second largest shareholder with 5.3% and is a major creditor of Coca-Cola.

Coca-Cola Chairman and CEO Douglas Daft serves on the boards of both Coca-Cola and SunTrust, as does James Williams, SunTrust’s former CEO. Douglas Ivester, Coca-Cola’s retired CEO, also sits on the SunTrust board. SunTrust President and CEO Phillip Humann serves on the boards of both SunTrust and Coke’s largest subsidiary, Coca-Cola Enterprises (CCE), as does CCE’s former CEO, Summerfield Johnston, Jr. Each owns substantial equity in both Coke and SunTrust.

CAMPAIGN TO STOP KillerCoke

WWW.KILLERCOKE.ORG • STOPKILLERCOKE@AOL.COM
A Bill in Support of Coca-Cola Corporate Responsibility

 Authored by: Senators Taina Gómez, and Gustavo A. Mata and Camilo Romero
 Co-sponsored by: Senators Boktor, Cacananta, and Hammon

WHEREAS: In January, 2000, the University of California proudly announced the establishment of a new Code of Conduct for Trademark Licensees (hereafter “Code of Conduct”), which requires all companies that "manufacture products bearing the name, trademarks and/ or images of the University," as well as their subcontractors, to adhere to basic human rights standards;

WHEREAS: The Code of Conduct, created with substantial student input over several years, is one of the strongest policies of its kind in the country and has already been used effectively to improve sweatshop working conditions in several countries;

WHEREAS: UC Berkeley’s ASUC Auxiliary, together with Housing and Dining Services and Cal Athletics, has recently entered a contract with the Coca-Cola company;

WHEREAS: This contract allows Coca-Cola to install, among other things, 50 new UC Berkeley themed campus vending machines which will bear the University’s logo;

WHEREAS: Consistent, credible reports by the press and human rights groups have documented serious human rights violations in facilities producing Coca-Cola products in Colombia, South America, including the kidnapping, torture, and murder of workers involved in efforts to request better pay and benefits;

WHEREAS: In recent years, eight union activists in Coca-Cola-producing facilities in Colombia have been assassinated by paramilitary groups seeking to destroy the workers’ union; the most recent assassination occurred in August of this year;

WHEREAS: A federal lawsuit has been filed against Coca-Cola and its Colombian bottlers, seeking injunctive relief and damages for some of the victims of this violence;

WHEREAS: Credible reports have also charged Coca-Cola with irresponsible business practices in other countries, including: illegal salary reductions and unsafe working conditions in Guatemala; the denial of basic health care and medicine to thousands of HIV positive workers in Africa; the theft of common water resources and consequent deprivations to subsistence agriculture in the Indian province of Kerala; and serious health and

---

1 A virtually identical resolution was adopted unanimously by the Graduate Assembly on Thursday, November 7th.
safety violations in facilities in the state of Florida;

**WHEREAS:** Coca-Cola has, particularly in the case of its Colombian facilities, refused to take adequate responsibility for its business practices and exercise its considerable power to prevent more violence from taking place;

**WHEREAS:** The University’s contract with Coca-Cola requires Coca-Cola and its subcontractors to adhere to the human rights standards embedded in the University’s Code of Conduct;

**WHEREAS:** Even if the Code of Conduct is found to be not contractually binding in this instance, the torture, kidnapping, and assassination of workers in Coca-Cola’s subcontracted Colombian facilities nevertheless represent appalling abuses of human rights; and through the University’s connection to these abuses, a defamation of the University’s name. Therefore, let it be:

**RESOLVED:** The ASUC Senate send a letter to the Store Operations Board encouraging them to continually assess Coca-Cola’s actions with regard the situation in Colombia and make any changes to our business relationship with Coca-Cola deemed appropriate in keeping with the University’s Code of Conduct and other stated principles of corporate responsibility; be it further

**RESOLVED:** The ASUC External Affairs Vice-President send a letter to (UCSA), encouraging them to pass a similar resolution; be it also

**RESOLVED:** The ASUC External Affairs Vice-President send a letter to Coca-Cola C.E.O. Douglas Daft requesting an accounting of the situation in Colombia and asking that Coca-Cola:

- Denounce the violence that is occurring in the name of Coca-Cola in Colombia.
- Respect the fundamental rights to free association and to organize trade unions, as reflected in Colombian law, Article 22 of the International Covenant on Civil & Political Rights, as well as Conventions 87 & 88 of the International Labor Organization.
- Announce publicly in Colombia its intention to participate in an investigation of the violence at its bottling plants.
- Reinforce Coca-Cola’s public stance against violence by directing all bottling plants in Colombia to stop dealing with any armed groups that are participating in violence against trade unionists.
- Establish a complaint and reporting process which will allow union members to report violations occurring in Coca-Cola bottling plants to an official of the company who will then investigate and take swift remedial action against these violations.
- Provide compensation to the known victims of violence at Coca-Cola bottling plants.
RESOLVED: The ASUC President send a copy of this resolution to Chancellor Robert Berdahl, encouraging him to take the matters raised in it seriously by also contacting Coca-Cola with the above requests as soon as possible;

RESOLVED: The ASUC Senate, in coordination with the Director of the ASUC Auxiliary, send a delegation to the Coca-Cola headquarters in the Bay Area to present to, and discuss with, the company’s representatives the concerns raised by this resolution.
Resolution from the Associated Students of the University of Montana

SB31-02/03
Resolution Opposing Exclusive Coca-Cola Contract

Whereas, The University of Montana began fulfilling the terms of a 7 year contract with the Coca-Cola Company without the ability of students and concerned bodies to review a draft contract;

Whereas, the Coca-Cola contract has not been signed, yet The University of Montana began following through on contractual obligations in accordance with a letter of intent to sign a contract;

Whereas, the unsigned, final draft of the contract, received by the University on December 6th, 2002 has several causes for concern such as doubt over financial benefits, limiting special events if not sponsored by Coke, the rights of termination, using university teams and university logos to promote Coca-Cola, and corporate benefits like Sky Club memberships;

Whereas, this contract represents one more step on the path of university privatization, the negative result of which is the restriction on where money is spent and moving attention from overall academic achievement;

Whereas, private corporate contributions may hurt the chances of increased state spending on education, by misrepresenting the financial conditions of the university system;

Whereas private corporate enterprises look out for their own profits and interest first and benefits to the university second, a position contrary to The University of Montana goals;

Whereas, the administration has continually denied students access to information contained in the draft contract;

Whereas, exclusive contracts limit consumer choice on campus thereby limiting the ability for consumers to make educated purchasing decisions based on individual and community benefits, the working conditions for workers, human rights issues, and price comparison;

Whereas, the Coca-Cola company has been implicated in human rights abuses and violence against workers in bottling plants in Colombia, and has been criticized by the United Steelworkers of America, the Teamsters, and International Labor Rights Fund;

Whereas, the contract threatens the ability for students to follow through with the goals of the University of Montana mission statement, which reads: "the university seeks to educate competent and humane professionals and informed, ethical, and engaged citizens
Whereas, Coca-Cola has reduced the amount of promised funds from $410,000 a year for 7 years (August draft) to $303,000 a year (December draft), a negligible amount of the University's overall budget;

Whereas, on-campus residents are required to purchase a meal plan through the University and are now restricted to beverage choices owned by Coca-Cola, including juices, bottled milk and water, a restriction that may have health implications;

Therefore, be it resolved that the ASUM disapproves of the process leading to the exclusive agreement between Coca-Cola and the University of Montana, is concerned by the nature of exclusive corporate contracts in general, is troubled by the accusations against Coca-Cola in regard to human rights abuses in Colombia, and urges the University of Montana to cease its accordance to the Letter of Intent of August 18th, and furthermore to reject, by not signing, the final draft of Contract P0001084.

Authored: Matthew Jennings, ASUM Student Political Action Director
BOGOTÁ, Colombia, July 24 -- An American labor-rights group and the United Steelworkers union have filed a suit in the United States that accuses Coca-Cola and some bottlers here of using a right-wing paramilitary group to intimidate and, in some cases, assassinate labor organizers. Coca-Cola adamantly rejected the accusations on Monday.

Along with one of the three bottlers cited in the suit, the soft-drink giant said the company and its affiliates abided by the laws of Colombia and other countries.

"We adhere to the highest standards of ethical conduct and business practices and we require all of our companies, operating units and suppliers to abide by the laws and regulations in the countries that they do business," said Natalie Rule, a spokeswoman for Coca-Cola in Atlanta.

Juan Carlos Domínguez, a spokesman for Panamco Industrial de Gaseosas, the major Coke bottler in Colombia, said his company was considering legal action against the plaintiffs. "Their purpose is to give out false information," Mr. Domínguez said in a telephone interview. "They are trying to tie us to groups that operate at the margin of the law."

The suit, filed on Friday in Federal District Court in Miami, arises in the midst of a fierce killing spree of union workers across Colombia, most of them slain by gunmen who belong to the main paramilitary group, the United Self-Defense Forces of Colombia, union organizers and human rights groups contend.

Sixty-seven union members have been killed this year, mostly from unions that represent government workers like teachers and utilities workers, said the National Union School, a research and educational center in Medellín. Last year, at least 130 were slain, the center said.

The suit, filed by lawyers from the International Labor Rights Fund in Washington and the steelworkers' union, was brought on behalf of the estate of a union leader killed in 1996 and others who have been threatened. The defendants, in addition to Coca-Cola and
Panamco, are Panamerican Beverages of Miami, which owns Panamco, and Bebidas y Alimentos, a bottler owned by Richard Kirby of Miami.

The suit asserts that paramilitary forces killed three workers, members of the National Union for Food Industry Workers who worked in a Bebidas y Alimentos plant in Carepa in northern Colombia. The company declined to comment. No one has been arrested in connection with the murders.

Bill McCaughan, a lawyer in Miami who represents Mr. Kirby, said the allegations in the suit were "totally baseless."

"Mr. Kirby is a well-respected businessman," Mr. McCaughan said. "He has no association with either the paramilitary group or the guerrilla group, and obviously had no association with any group that would take any people out and shoot them."

Another three union workers at bottlers, whose cases were not mentioned in the suit, have also been killed by paramilitary forces since 1989, said Javier Correa, president of the union, also known as Sinaltrainal. The latest victim, Oscar Darío Soto, was killed on June 21 in a bottling plant in Montería, a port.

"We believe that this is part of the political persecution and terror that is a part of life here in Colombia against the unions," Mr. Correa said.

The number of union workers at Coke plants in Colombia has dropped, to 450 from 1,300 in 1993, he said. Total Sinaltrainal membership -- the union represents workers in many food industries -- has dropped, to 2,400 from 5,800 five years ago, said Mr. Correa, and 14 union organizers have been assassinated.

The suit says that the bottlers "contracted with or otherwise directed paramilitary security forces that utilized extreme violence and murdered, tortured, unlawfully detained or otherwise silenced trade union leaders."

Some of the most explosive allegations are directed at the Carepa plant. The suit contends that managers, in trying to break the union, used paramilitary gunmen to kill two organizers, José Eleazar Manco and Luis Enrique Gómez, in 1994. The gunmen then threatened workers, forcing the executive board of the union to resign and leave the area.

A new board was soon elected by workers. But one of its members, Isídro Segundo Gil, was killed in 1996 at the plant by paramilitary gunmen, the suit says.

The suit also contends that the plant manager, Ariosto Milan Mosquera, had told workers that he had given an order to paramilitary forces to destroy the union. The suit says Mr. Mosquera frequently associated with the paramilitary members and let them intimidate workers.
Two days after Mr. Gil's death, plant managers passed out union resignation forms that the suit says Bebidas y Alimentos prepared. Dozens of workers resigned soon after that.

Although Bebidas y Alimentos is a defendant in the suit, Mr. Mosquera is not. "Mr. Gil wasn't just a worker who was randomly killed," said Terry Collingsworth, general counsel of the Labor Rights Fund. "He was involved in the union's ongoing representation of workers."

The suit also says unionists at Panamco plants were threatened, falsely imprisoned and tortured because of their union activities.
Coca-Cola Accused of Using Death Squads to Target Union Leaders

by Garry M. Leech, Colombia Report

July 23, 2001

A lawsuit filed in U.S. District Court in Florida accuses the Coca-Cola Company, its Colombian subsidiary and business affiliates of using paramilitary death squads to murder, torture, kidnap and threaten union leaders at the multinational soft drink manufacturer's Colombian bottling plants. The suit was filed on July 20 by the United Steelworkers of America and the International Labor Rights Fund on behalf of SINALTRAINAL, the Colombian union that represents workers at Coca-Cola's Colombian bottling plants; the estate of a murdered union leader; and five other unionists who worked for Coca-Cola and were threatened, kidnapped or tortured by paramilitaries.

Colombia has long been the most dangerous country in the world for trade unionists with almost 4,000 murdered in the past 15 years. Last year saw 128 labor leaders assassinated. Most of the killings have been attributed to right-wing paramilitaries belonging to the United Self-Defense Forces of Colombia (AUC), who view union organizers as subversives and, therefore, "legitimate" targets in their dirty war against Colombia's guerrilla insurgents. Three out of every five trade unionists killed in the world are Colombian. The most recent killing of a union leader at one of Coca-Cola's Colombian bottling plants was June 21 when Oscar Dario Soto Polo was gunned down.

Needless to say, companies in Colombia benefit from the reduced effectiveness of union organizing that results from the intimidation of workers by paramilitaries. But the complaint filed against Coca-Cola last week claims that the company does more than just benefit from paramilitary violence: it claims the company orchestrates it.

According to Terry Collingsworth of the Washington DC-based International Labor Rights Fund and co-counsel for the plaintiffs, "There is no question that Coke knew about, and benefits from, the systematic repression of trade union rights at its bottling plants in Colombia, and this case will make the company accountable." The plaintiffs are seeking compensation and an end to the human rights abuses committed against Coca-Cola's employees and union members.
The suit claims that Coca-Cola controls all aspects of business conducted by its Colombian subsidiary Coca-Cola Colombia, as well as the operations of Panamerican Beverages, its Colombian subsidiary Panamco, and Bebidas y Alimentos. According to the complaint, Panamco and Bebidas y Alimentos exist solely for the purpose of bottling and distributing Coca-Cola products in Colombia. Both are Florida-based companies with 'bottling agreements' requiring them to abide by Coca-Cola's code of conduct regarding their operations and labor relations.

The plaintiffs are claiming U.S. jurisdiction under the Alien Tort Claims Act, which allows non-U.S. citizens to file suit against Americans for violations of international law. Regarding the role of the United Steel Workers in the suit, union President Leo Gerard explains, "We are filing this case to show our solidarity with the embattled trade unions of Colombia." The position taken by the union stands in sharp contrast to AFL-CIO policies during the 1980's that openly supported President Reagan's military funding of Central American governments involved in the violent repression of union activities.

Among the suit's many claims is a 1996 incident in which Ariosto Milan Mosquera, plant manager at Bebidas y Alimentos' bottling facility in Carepa, Colombia, made public pronouncements that "he had given an order to the paramilitaries to carry out the task of destroying the union." Union members claim that Mosquera often socialized with paramilitary fighters and even provided them with Coca-Cola products for their fiestas. Shortly after Mosquera's pronouncement, local members of SINALTRAINAL began receiving threats from the paramilitaries.

On September 27, 1996, SINALTRAINAL sent a letter to the Colombian headquarters of both Bebidas y Alimentos and Coca-Cola Colombia informing them of Mosquera's threats against the union and requesting that they intervene to prevent further human rights abuses against employees and union leaders.

Two and a half months later, on the morning of December 5, 1996, Bebidas y Alimentos employee and local SINALTRAINAL executive board member Isidro Segundo Gil was killed by paramilitaries inside the Carepa bottling plant. The remaining union board members were also threatened with death if they did not leave town. And then, on December 7, the paramilitaries entered the plant and told employees they had three choices: resign from the union, leave Carepa, or be killed. The suit claims the workers were then led into the manager's office to sign union resignation forms prepared by the company. The union had been successfully busted.

When asked about his company's use of paramilitaries to kill and intimidate union members, Bebidas y Alimentos owner Richard Kirby, who is also a defendant in the case, said, "You don't use them, they use you. Nobody tells the paramilitaries what to do." He also claims that the facts regarding the murder of Isidro Segundo Gil have been distorted: "One day the paramilitaries showed up at the plant. They shut the plant down, put everyone against the wall, and started shooting. Now its been turned around so that it's our fault."
But the targeting of labor leaders was not limited to the Carepa plant. According to the complaint, union officials at several other Coca-Cola bottling plants were also being threatened and harassed. In 1996, at Panamco's Bucaramanga plant, local members of SINALTRAINAL went on a 120-hour strike to protest the company's elimination of employee medical insurance.

After the strike ended, the suit claims, "the chief of security for the Bucaramanga plant, Jose Alejo Aponte, told authorities that he found a bomb in the plant." He then accused five members of the local SINALTRAINAL executive board of planting the bomb. The five union leaders, three of whom are plaintiffs in this case, were then imprisoned for six months based on charges brought by, according to official documents, "COCA COLA EMBOTELLADORA SANTANDER."

The union leaders were released six months later when, according to the suit, the regional prosecutor "concluded not only that the Plaintiffs had nothing to do with placing a bomb in the plant as charged, but that there in fact was never a bomb in the plant as the company had claimed."

When asked about abuses committed against union leaders at its Colombian bottling plants, Rafael Fernandez, a spokesman at Coca-Cola's headquarters in Atlanta, denied any wrongdoing regarding human rights violations in Colombia or anywhere else. He also stated, "Coca-Cola has a strict code of conduct that all its subsidiaries and businesses that work with Coca-Cola products have to adhere to." But according to Collingsworth, "Their 'code of conduct' shows that they are legally responsible. These companies come up with these codes and then don't enforce them."

The suit also claims that local management at Panamco's Barrancabermeja plant "have openly sided with the paramilitaries in the civil war which is intensely manifested in Barrancabermeja." It goes on to claim that Panamco Colombia has publicly accused SINALTRAINAL members of being guerrillas. Given the volatile situation in Barrancabermeja, home to the most intense urban warfare in Colombia, such an accusation is tantamount to a death sentence.

The president of the local SINALTRAINAL union in Barrancabermeja, Juan Carlos Galvis, says he received phone calls from paramilitaries threatening him with death if he didn't stop his union work and quit his job at Coca-Cola. The suit claims that paramilitary threats also appeared on the walls inside the plant, including one in June 2000 that stated, "Get Out Galvis From Coca-Cola, Signed AUC."

According to Fernandez, "Coca-Cola Colombia has very special security measures for all its employees and the employees of its bottling plants in Colombia." But the company's failure to respond to the SINALTRAINAL letter, written more than two months before the murder of Isidro Segundo Gil, and the ongoing intimidation and harassment of labor leaders raises serious questions regarding Coca-Cola's commitment to protecting its workers, especially those involved in union activities.
Murder in Colombia Lands Coca-Cola in Court Battle

By Susan Ferriss - Atlanta Journal and Constitution

June 06, 2002

Bogota, Colombia --- Nobody disagrees that on Dec. 5, 1996, gunmen walked into a Coca-Cola bottling plant in this South American country, asked for union leader Isidro Gil and promptly shot him dead.

Nobody disputes that Colombia's right-wing paramilitary squads kill with impunity in some cities and may have kidnapped and threatened other labor activists at Coke bottling plants.

But there is strong disagreement over whether the Coca-Cola Co. and some of its bottling partners should be held liable for these crimes.

Today, a U.S. District Court judge in Miami is expected to hear initial arguments in four unusual lawsuits filed against the Atlanta-based beverage giant by a small, embattled labor union in Colombia, one of Latin America's most violent and politically tumultuous countries.

The judge is to decide whether to let a trial linking all the lawsuits proceed.

A key point of contention in the suits is whether local managers working for Coke and its bottling partners deliberately allowed or encouraged rightist gunmen to harass and kill union members.

"We want justice. We want people to know the truth about what is going on in Colombia against Coke workers. We want reparation for the victims of all these crimes," said Javier Correa, the Bogota-based president of the National Union of Food Industry Workers, five of whose leaders have been killed since 1994.

"Why are we doing the lawsuit in the United States? Because all of these cases, without exception, are known to the Colombian justice system, and all we've seen is total impunity," said Correa, who added that nobody has been prosecuted for any killings or harassment of the workers.

The union is represented in the United States by lawyers from the Pittsburgh-based
United Steelworkers of America and a Washington-based nonprofit group called the International Labor Rights Fund.

The union's lawyers said U.S. law allows foreigners to seek redress from U.S. companies that operate abroad.

Rodrigo Calderon, a Coca-Cola executive based in Mexico, said the lawsuits contained "outrageous allegations" designed to grab headlines and promote "a political agenda."

Coke has asked the judge to dismiss the lawsuits.

"What we're saying is, this is very tragic," Calderon said, "but the company and the bottlers had nothing to do with these attacks."

The Coke Colombia case already has stirred some attention in the United States. Members of the Teamsters union, which is involved in the lawsuits, protested in April at Coca-Cola's annual meeting.

The Teamsters also have seized the opportunity to criticize the company on unrelated issues, including complaints about working conditions at Coke plants elsewhere.

**Payoffs for protection**

Coke's Calderon said that because of the killing of employees, burning of trucks and extortion by Colombia's left-wing armed groups, Coca-Cola distributors have dropped 3 percent of their buyers and are unable to operate in more than 80 municipalities in Colombia.

People familiar with Coke's operations in Colombia said employees have met with right-wing paramilitary groups, hoping to keep them from demanding protection payments.

It is widely known that in some areas of Colombia, illegal armed groups exert control because of an absence of effective local government and police.

The lawsuit in connection with the killing of Gil names Richard Kirby, the American owner of a bottling plant in Carepa, in northern Colombia, where the union leader was killed in 1996. The lawsuit alleges, in detail, that Kirby's plant manager at the time consorted with gunmen prior to the murder and made public comments that the gunmen would wipe out the union.

"I don't know if we met or not with them," Calderon said of Coke employees and right-wing paramilitary groups. But he said Coca-Cola had not negotiated with any factions in Colombia's war.

James McDonald, an attorney for Kirby, who lives in Key Biscayne, Fla., and Bogota,
said, "Everyone recognizes the lawlessness in some parts of Colombia. Does that mean that Coke et al. are responsible for the violence perpetrated? I think that's a stretch. . . . The bottom line is, we deny these allegations."

The suit stemming from Gil's slaying seeks compensation for his children, who now live in hiding with relatives because their mother also was killed --- by paramilitary gunmen, union leaders suspect.

**Trade unionists targeted**

In Colombia, a country mired in civil war, more union activists are killed than in any other part of the world, according to the AFL-CIO. More than 1,500 Colombian trade unionists have been killed over the past 10 years.

Trade unionists are a frequent target of Colombia's outlawed right-wing paramilitary group, the United Self-Defense Forces, known as the AUC, its Spanish initials.

Using profits from its participation in Colombia's cocaine trade, the AUC hires mercenaries to kill or threaten those it believes sympathize with the left-wing guerrilla armies, human rights groups say.

Fighters from both sides are on the State Department's list of terrorist organizations.

The union claims that it sent a letter to Kirby and Coca-Cola about two months before Gil's killing --- pleading that the threats be ended. The union said the company ignored the letter.

Calderon said Coke was unaware of such a document, a copy of which was submitted to the U.S. court.

"The compelling question is, why doesn't Coca-Cola intervene to stop the violence?" said Terry Collingsworth, an attorney with the International Labor Rights Fund.

"Coca-Cola, like many companies, is trying to have it both ways --- they control the product and reap the profit, but they claim to have no responsibilities to the workers," he said.

Juan Carlos Galvis, a union activist who also has filed suit, said in an interview that because he has received so many death threats, he is under constant guard by federal agents in the city where he lives, Barrancabermeja.

Police and military officials interviewed in Barrancabermeja admit that AUC gunmen kill suspected leftist sympathizers in the city.

"Every day it's more tense. I just got permission to use an armored car," said Galvis, who is suing Coke and Panamerican Beverages, a bottler that operates in a number of
Latin American countries.

Coke owns 25 percent of Panamerican Beverages.

Luis Adolfo Cardona, a Colombian bottling worker who witnessed Gil's murder, is now living in Washington under an AFL-CIO program offering temporary refuge to threatened Colombian trade unionists.

Cardona said the men who shot Gil had been inside the factory before.

"They are the same men who grabbed me on the street the same day they killed Isidro," Cardona said.

Fearing for his life, Cardona broke away from the men and ran into a police station. He and his family fled the area under Colombian government protection.

Cardona said local managers, not Kirby, seemed to run the business in Carepa.

"What they wanted most of all," he said, "was to get rid of the union."

Photo
Javier Correa, president of the Colombian union suing Coke, says: "We want justice. We want people to know the truth about what is going on in Colombia against Coke workers. We want reparation for the victims." / MARCELO SALINAS / Special

Copyright © 2002 The Atlanta Journal and The Atlanta Constitution
Under The Gun; Execution-style killings have Colombia's trade-union activists running scared

by Peter Katel, Reported by Ruth Morris/Monteria

Time Magazine International Edition, pg. 18
August 13, 2001

The sun was nearing the horizon last June 21 when Oscar Soto Polo, 43, local president of the National Union of Beverage Workers and an executive-committee member of the main national labor federation, stepped out of his office in the northern Colombian city of Monteria, 500 km from Bogota and went to pick up his eight-year-old daughter at her nearby school. They started walking home, past mint- and tangerine-colored cinder-block houses, a soccer field and an open-air bar where big speakers pump out ranchero music. Turning left at the neighborhood church, they took their usual shortcut down an alley between two homes. This time, though, someone was waiting. He raised a pistol to Soto's head and blasted one bullet into his temple.

Colombia's unending violence has touched every one of its people and institutions. Business people and politicians go nowhere without squads of bodyguards; ordinary citizens don't get on a highway without first checking if it's free of guerrillas or ultraright paramilitaries. And within this landscape of violence, trade unionists have been especially hard hit. Soto was the 62nd Colombian labor activist assassinated this year. Since his still unsolved killing, 16 more labor officials and activists have been gunned down. Now, Colombia's National Food Industry Union is going to an American court in an attempt to draw international attention to the crisis--and to fix blame.

It is an extraordinary action. The union, an ally of Soto's organization--aided by the United Steelworkers of America in Pittsburgh, Pa., and the International Labor Rights Fund of Washington--has filed suit in the U.S. district court in Miami against the Coca-Cola Co., Coca-Cola de Colombia and two of its independently owned Colombian bottlers, Panamco Colombia and Bebidas y Alimentos de Uraba, on behalf of the family of a union leader gunned down in 1996 and five unionists who say they are living under threat of death. "The local managers of Panamco Colombia have openly sided with the paramilitaries," the lawsuit claims.

The local bottling company angrily denies this: "We emphatically reject and deny any suggestion that Panamco is in any way linked to terrorist groups." Coca-Cola, meanwhile,
stressed that it follows all laws wherever it operates, and requires its suppliers to do
likewise. (Coca-Cola and its Colombian subsidiary are separate from the bottler, but the
unions argue that the soft-drink firms are ultimately responsible for bottlers' actions.)

While lawyers will argue the case in court, the action draws international attention to the
desperate plight of Colombia's union members and activists. During the past 10 years,
1,526 have been gunned down--making them the single most endangered group of
civilians in Colombia. And the murder rate is holding steady. The 78 killings so far this
year average 11 a month; last year's monthly rate was 10. The biggest single group of
civilians getting government-financed protection are unionists, who account for 327 of
the 977 protection requests granted so far this year. "We know we need to do more," says
Rafael Bustamante, human-rights director at the Interior Ministry, who has a budget of $4.6 million, $1 million of it from the U.S. "But demand has increased so much."

The main labor alliance, the Central Unitaria de los Trabajadores de Colombia, files some
250 new protection requests every two weeks. For now, 90 unionists are being provided
with bodyguards, and 410 are getting money to install bulletproof glass or move their
offices to safer locations. The federation, which represents 600,000 workers, estimates
that half its 20,000 organizers have received death threats. At first glance, that number
may sound inflated, except that killings of unionists proceed apace and seem to get no
closer to being solved. At the attorney general's office, staff members didn't have
information on how many union assassination cases are active and how many have been
shelved. A spokesman refused to comment on a report in the Bogota daily El Espectador
that 500 cases were in "preliminary" status--meaning no suspects have been identified.

This has forced many unionists to protect themselves as best they can. Javier Correa,
President of the beverage workers union, works in a two-story office with no sign outside.
He doesn't let his kids play outdoors, and he doesn't discuss travel plans on the phone. In
March, he says, he got a phone call from someone saying "Here, you s.o.b., this is what
we're going to use to cut you up." Following was the sound of a chain saw.

While Colombians generally blame the paramilitaries for the long-running assassination
campaign against unionists, in a message last week to TIME, Carlos Castano, political
chief of the country's leading paramilitary organization, United Self-Defense Forces of
Colombia, denied any action in the case of the food-industry union. "We have never
acted, nor do we have anything against the aforementioned union." But he added
ominously, "We respect unionism as the organization of workers, but we can't respect
armed subversives hiding in some unions."

Union leaders don't deny that some of their members might harbor sympathies for the
country's left-wing guerrillas. But, says Jesus Gonzalez, the labor federation's human-
rights director, "a labor leader can be liberal or conservative, atheist or Catholic or
communist, and still be killed."

Most Colombian unionists are scared to say much of anything about why they are being
singled out. But the climate of violence casts a shadow over all their activities. Soto was
killed during a lull in negotiations over his union's demand for a pay raise of 17% to 22%. The company was offering 6.5%. Two weeks after his murder, negotiations resumed. The union settled for 8.5%. Francisco Arrieta, general secretary of the Monteria local, said union negotiators felt "no pressure" from the assassination to downscale their demand. Still, the activists closest to Soto are clearly intimidated. "A misinterpreted comment can cost someone his life," says a fellow unionist, asking not to be identified. Soto's widow, Luz Marina Lara, 40, says simply, "I don't accuse anyone." She adds that her husband's trade-union activism "was the only problem he had." In Colombia, that is a serious problem indeed.
It's the Real Thing: Murders at Coke

by David Bacon

November 24, 2001

After the leader of their union was shot down at the gate into the plant where they worked, Edgar Paez and his coworkers at the Coca Cola bottling plant in Carepa, Colombia, tried for four years to get the country's courts to bring the people responsible to justice. Instead, some of the workers themselves wound up behind bars, while they watched the murderers go free. Believing Colombian courts incapable of ensuring justice, they decided to haul Coca Cola into the US courts instead. To help them, they found a powerful US union.

This summer, the Colombian union, SINALTRAINAL, together with the United Steel Workers of America and the International Labor Rights Fund, filed a case in Florida against Coca Cola, Inc., Panamerican Beverages (the largest soft-drink bottler in Latin America, with a 60-year history with Coke), and Bebidas y Alimentos (owned by Richard Kirby of Key Biscayne, Florida, which operates the Carepa plant.) The three companies are charged with complicity in the assassination of Colombian union leaders. The unions hope this new strategy will stop a wave of murders of union militants that's lasted over a decade. Colombian unionists have since been traveling the United States, gathering support for the case and future similar actions.

The Florida case charges that at 8:30AM December 5, 1996, a rightwing paramilitary squad of the United Self Defense Forces (AUC) showed up at the gate into the Carepa bottling plant. Isidro Segundo Gil, a member of the union's executive board, went to see what they wanted. They opened fire, killing him. An hour later, paramilitaries kidnapped another leader of the union at his home, who escaped and fled to Bogota. That evening, they broke into the union's office, and burned it down.

The next day, a heavily-armed group went inside the bottling plant, and called the workers together. "They said that if they didn't resign by 4PM, the same thing would happen to them that happened to Gil - they would be killed," recalls Paez. Coca Cola spokesperson Rafael Fernandez asserts the company's code of conduct requires respect for human rights. Coke's Colombia spokesperson, Pedro Largacha, claims "bottlers in Colombia are completely independent of the Coca-Cola Company." The bottler, Bebidas y Alimentos, says it had no way to stop the paramilitaries. "You don't use them, they use you," Kirby stated. "Nobody tells the paramilitaries what to do."
But the suit charges that plant manager Ariosto Milan Mosquera, who had a history of partying with the paramilitaries, gave them the order to destroy the union. Paez says not only were the plant's managers responsible, but that Coke benefited. "At the time of Gil's death we were involved in negotiations with the company," he says. "They never negotiated with the union after that. Twenty seven workers in twelve departments left the plant and the area. All the workers had to quit the union to save their own lives, and the union was completely destroyed. For two months, the paramilitaries camped just outside the plant gate. Coca Cola never complained to the authorities."

The resignation forms, the suit claims, were prepared by the company. The experienced workers who left the plant, who had been earning $380-400 a month, were replaced by new employees at minimum wage -- $130/month.

During a subsequent investigation by the Colombian Justice Ministry, the plant's director and production manager were detained, along with a local paramilitary leader. All three were later released without charges. The assassinations were neither the first nor the last among union leaders in Colombian Coke plants. In 1994 two other union activists, Jose David and Luis Granado, were also murdered in Carepa, and paramilitaries demanded workers quit the union. In 1989, Jose Avelino Chicano was killed in the Pasto plant. This year a union leader at the Bucaramanga plant, Oscar Dario Soto Polo, was murdered.

When the union denounced the killings, the plant's chief of security, Jose Alejo Aponte, charged its leaders with terrorism. Five were jailed for six months. At the Barrancabermeja plant a graffiti was scrawled on the walls -- "Get Out Galvis From Coca Cola, Signed AUC."

Juan Carlos Galvis is the president of the plant's union. "One of our biggest problems in Colombia is that social protest in general is being criminalized," Paez charges. According to another Colombian unionist, Samuel Morales of the Unified Confederation of Workers (CUT), the country's largest union federation, "in many ways, transnational corporations virtually govern the states in which they operate. And in our country, it's become a crime to speak out forcefully against them. They get cheap labor by weakening unions and getting rid of long term workers." By October, 125 Colombian trade union leaders had been murdered this year alone. Last year's assassinations cost the lives of 129 others -- out of every 5 trade unionists killed in the world, 3 were Colombian.

Paramilitaries are held responsible for almost all trade union assassinations. Robin Kirk, who monitors human rights abuses in Colombia for Human Rights Watch, says that there are strong ties between the AUC and the Colombian military. "The Colombian military and intelligence apparatus has been virulently anti-Communist since the 1950s," she says, "and they look at trade unionists as subversives - as a very real and potential threat." "They believe it's a crime," adds Morales, "to present any alternative, any option for social change -- just to struggle for workers rights and needs. The paramilitaries don't act by themselves. In Colombia, they're called the army's 'sixth division.'"
Despite the wave of death and violence, U.S. aid to the Colombian armed forces has grown rapidly. Under Plan Colombia, the U.S. has funneled over $1 billion into the country, almost entirely in military assistance. Paez charges the US-funded drug war is a pretext for protecting transnational investors. "Plan Colombia's objective is the elimination of movements for social change in our country," he says. "That creates a much more favorable environment for the exploitation of our natural resources and our labor force." One objective of the Coke suit is to pressure the Colombian and US governments to comply with the conventions of the International Labor Organization and the Geneva Accords on Human Rights. But Colombian unions would also like to see those responsible for the murders brought to justice. "We want to strip off the mask hiding the involvement of transnational corporations in our internal conflict," Paez explains. "To do this, we need a judicial forum outside the country, since within Colombia those guilty of these crimes are treated with impunity. In this particular case, those responsible include Coca Cola. But they're not the only company pursuing policies which violate human rights. We're giving our own global answer to their global operations."
Colombia's War on Unions
The Coca-Cola Killings

by Maria Engqvist

The Coca-Cola killings in Colombia continue. Last week union activist Adolfo de Jesus Munera was murdered shortly after he received notice that a law suit filed by him against Coca-Cola was accepted by Colombia's Constitutional Court.

Adolfo de Jesus Munera was a regional leader of the Sinaltrainal food industry workers' union and a former employee of the Coca-Cola plant Embotelladora Roman in the town of Barranquilla. Before Munera, seven other union leaders from Coca-Cola plants in Colombia have been murdered and others have been abducted and tortured. The attacks against the union activists are usually accompanied by threats to all Coca-Cola employees to quit their union.

Coca-Cola had a long history of controversy with Adolfo de Jesus Munera. In April 1997 the company's plant chief Emilio Hernandez secretly requested the Colombian authorities to take action against Munera accusing him of being a rebel sympathizer. After an army unit raided Munera's home in Barranquilla, he fled out of town afraid of being targeted by right-wing death squads. The following month he received a letter from Coca-Cola saying that he was dismissed for not showing up at his workplace.

Supported by his union Munera filed a law suit against Coca-Cola demanding to be reinstated in his job. Munera won in the first instance, but at a higher level the company's arguments were accepted by the judge. Munera, however, appealed and on August 22nd he received a letter from the Colombian Constitutional Court saying that his case had been accepted. On August 31st, unknown gunmen were waiting for him outside his mother's house and shot him dead on the doorsteps.

Sinaltrainal leadership blamed the Colombian state for the killing of Munera and was backed up by the Director of the Human Rights department of the national union federation CUT, Domingo Tovar. In a statement received by ANNCOL, Tovar said that the killing of Munera once again illustrates "the price that union leaders are paying for demanding social justice".

Almost 4,000 CUT union activists have been assassinated since 1986, without the Colombian authorities taking serious steps to prosecute the killers.

The Sinaltrainal union has previously filed another law suit in Atlanta, USA against Coca-Cola saying that the company has contracted death squads to carry out a campaign to destroy the union. The Sinaltrainal leadership says that there is no possibility to bring those responsible for the killings to justice in Colombia, because the death squads are being run by powerful members of the elite and senior police and army commanders.
Earlier this year, Sinaltrainal attorney Pedro Mahecha Avila told US media that: "the evidence of state complicity includes not only the impunity with which crimes are committed, but also the use of the military and courts to harass the union with unwarranted searches and false charges."

Maria Engqvist lives in Stockholm, where she writes for ANNCOL.
Group protests Coke’s ethics, UM’s contract

Organizers hope to present petition to administrators

Kristen Inbody
Montana Kaimin

After spending a month in Colombia with Coca-Cola union workers he says were oppressed by Coke-supported military forces, Scott Nicholson returned to Missoula to find the University of Montana had signed a multi-million dollar deal with Coke.

“By entering into the exclusive contract with Coca-Cola, the University of Montana is supporting paramilitary violence against labor activists in Colombia,” said Nicholson, organizer of Community Action for Justice in the Americas.

UM signed a $4.3 million contract this summer with Coca-Cola Bottling of Montana to sell only Coke products at UM-owned vendors.

Coke doesn’t want its Colombian workers to form unions and demand better wages and working conditions, Nicholson said.

While in Colombia, Nicholson worked with union leader William Mendoza Gomez, president of the workers union at the Barrancabermeja bottling plant. Gomez’s daughter Karen was kidnapped while Nicholson was in Colombia, he said.

The plant administration has a relationship with the paramilitary, Nicholson said, and donated 100 cases of pop for a local paramilitary celebration.

Nicholson said Coca-Cola oppresses workers around the world, including in the United States. By extension, the University is oppressing workers as well, he said.

The University needs to look at human rights before entering into contracts, Nicholson said.

“The University should not be providing support to a corporation that violates human rights,” he said.

Amnesty International and CAJA are circulating petitions and will have an information booth in the UC every Thursday until Dec. 6, when they will stage a larger protest.
Before then, the groups hope to have 1,000 signatures on the petition calling for the University to break its contract with Coca-Cola.

Nicholson said his concerns were brushed off by Bob Duringer, UM vice president of administration and finance.

“Bob Duringer said he didn’t have the luxury of being concerned with these values,” Nicholson said.

Duringer said he spent four and a half hours on the concerns.

“After we researched the allegations these people brought up ... we found the ones they were referring to really had no basis,” Duringer said. “With any multinational corporation there is going to be allegations of abuse.”

If he had found proof, he may have acted on the information, Duringer said.

“If it were true and we could draw something conclusive, we would have taken that into consideration,” he said.

Duringer also said that the Coca-Cola company in the United States is not responsible for every action of Coca-Cola companies around the world.

“What you have to realize is that Coke Colombia or Coke China really has an arm’s length relationship with Coke Atlanta,” he said.

Colombia presents a special challenge, he said.

“In Colombia they’re in the midst of a civil war, so it’s hard to draw the line on what’s right and what’s wrong,” Duringer said.

While students expressed skepticism about the distance between Coca-Cola Atlanta and Coca-Cola around the world, few Coke drinkers said they were ready to change their beverage of choice.

Pete Motyka, a junior in wildlife biology, hadn’t heard about the protest but “now that I know that, I probably won’t change anything,” he said. “We don’t even have a choice here.”

While drinking Minute Maid juice — a Coca-Cola brand — in the Country Store, Motyka said, “It tastes good, it’s cheap and it’s all I can get anyway.”

“I probably do a lot of things that don’t work out for somebody somewhere,” Motyka said, pointing out that his Nike bag could have been made from sweatshop labor.

He also noted his chicken sandwich.

“That’s too bad for him,” he said of the chicken that became his sandwich.

“If anything ever happens, blame it on Coke and Nike,” he said.

“The University shouldn’t break its contract,” Motyka said. “It really doesn’t bother me.”

Motyka said he probably wouldn’t join a boycott, but said, “It’s probably somebody’s job to make sure that’s not happening.”
Anthony Ferrara, a junior in recreation management, said — while drinking a Dr Pepper — that the allegations are based on speculation.

“I’d actually have to see evidence. Usually it’s our fault,” Ferrara said. “There’s no proof.

“I would have to see more than one person protesting,” he said. “Coke’s a scapegoat. If there was somebody who was non-biased, went in and looked all the alternatives and said it was Coke, then maybe. Coke can’t stop everything happening around the world.”

“If we’re going to hold somebody accountable for everything, we won’t have anybody do anything,” he said. “The true person we should blame is Disney.”

Bobbie Jo Brooks, a junior in political science, said, “I would need to know a lot more about it.”

While drinking Dasani water, a Coke product, Brooks said she probably wouldn’t change her beverage choice.

“You could get beat up around here for saying that,” she said.

Megan Rediske, a senior in history and a Coke drinker, said she didn’t have enough information to decide whether she should give up Coke.

“If I knew for sure, then yes. Pepsi does the same thing,” Rediske said. “It’s about taste. It’s sweeter.”

Louise Lindebringhs, a senior in anthropology and political science, has joined in protesting Coke’s labor practices around the world.

“Theyir labor is temporary,” she said. “The workers have no security, no contracts. This is happening all over the world, including in this country. Pepsi is faring better in human rights.”

She applauded Montana State University-Bozeman for partnering with Pepsi.

“It’s excellent they’ve rejected Coke. It’s a great step,” she said.

With MSU’s drink contract up for grabs this spring, Coke could form an exclusive relationship with MSU.

Bruce Parker, the MSU associate athletic director for external affairs, said he was not aware of any human rights violations by Coke, but he would do research.

“It’s not necessarily a factor, but how could you not consider it? We’ll look at it,” Parker said.

Students can get involved by making the conscientious choice of a new generation not to support Coke, Lindebringhs said. To effectively boycott Coke, students need to educate themselves on the full range of Coke brands, like Powerade, Minute Maid and Bacardi Mixers, she said.

With this protest, UM joins protests by students at dozens of other universities, including Harvard.
KILLING FOR COCA COLA IN COLOMBIA

COKE ASSAILED FOR ALLEGED LABOUR BRUTALITY

The Hamilton Spectator [A2 - Tuesday, December 11, 2001]

Human rights and labour activists want McMaster University to urge Coca-Cola to clean up its conduct in Colombia.

The McMaster-based Ontario Public Interest Research Group (OPIRG) held a small, peaceful demonstration on campus yesterday, International Human Rights Day. Members of OPIRG and the United Steelworkers of America poured a bottle of Coke into a metal pail covered with the names of Colombian Coca-Cola workers they say have been murdered or jailed for being members of a union, Sinaltrainal. The Coke represents workers' blood.

OPIRG member Murray Lumley later handed the pail to Mary Keyes, associate vice-president, student affairs. She promised to relay their message to McMaster president Peter George.

In 1998 McMaster signed a 10-year multi-million dollar agreement to sell only Coca-Cola products on campus. The company will contribute towards operating costs of the new student centre and has provided money for scholarships and new score boards. OPIRG hopes McMaster can use its influence with Coca-Cola to secure human rights for Colombian workers. The group is not asking for a boycott.

A lawsuit filed in Florida accuses Coca-Cola, its Colombian subsidiary and business affiliates of using paramilitary forces to murder, torture and kidnap union leaders. Two OPIRG members went to Colombia last August and heard accounts of labour organizers being terrorized.

But Coca-Cola spokesperson Wendy Kubota said the allegations are untrue.

"The Coca-Cola Company does not conduct business in this manner," Kubota said. "We believe this action is nothing more than an effort to garner publicity and besmirch the reputation of the company and its partners."

A company statement says it does not condone the abuse of individuals' human rights anywhere in its system.
The Coca-Cola Company Statement Regarding Colombia Labour Protests

Brussels, Belgium, October 10 – The allegations made by protestors today are completely false. They are nothing more than a shameless effort to exploit the tragic situation in Colombia.

The Coca-Cola Company and Coca-Cola bottlers respect human rights and workers’ rights. We do no promote or condone violence against anyone.

Our bottling partners have extensive, normal relations with labor unions in Colombia and across Latin America. In Colombia, Coca-Cola bottlers currently have contracts with 12 unions in Colombia, and 71 unions across Latin America; in Colombia alone, almost 12,000 employees are unionized.

The allegations contained in a lawsuit filed against the company and Coca-Cola bottlers in U.S. District Court in Miami are false, and they have been rejected repeatedly by the Colombia justice system. Last year, an investigation by the Colombian Attorney – General found no evidence of wrongdoing by a bottler accused of misconduct. In 1997, a Colombian judge found no evidence that a bottler violated union members’ labor rights.

The Coca-Cola Company believes the lawsuit filed in the United States District Court for the Southern District of Florida by Sinaltrainal, a Colombian labor union, in July 2001, contains outrageous allegations against the Company and its bottling partners. The Company regards as especially preposterous the charges of responsibility for the murder and torture of union members.

A comprehensive and thorough investigation of the facts of this case revealed no evidence to support the allegations made against the Company and our bottling partners. The Company or its bottlers did not commit or direct any abuses of trade unionists in Colombia. We did not, and do not now, condone such abuses.

The charges are calculated for public relations shock value and have been made primarily in the hope of furthering political and social objectives having nothing to do with the beverage industry in Colombia or even the specific allegations underlying the complaint.

The core principles by which the Company runs its business do not ever permit it to engage in the types of activities alleged in order to sell its products. The Company believes that the unfounded allegations that it ever did are a simultaneous insult and assault on its integrity and on common sense itself.