

REPORT TO THE AUSTRALIAN EDUCATION UNION

ACTU DELEGATION TO COLOMBIA

**Bogota, Pereira, Medellin and Barranquilla
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BACKGROUND

From attending conferences of Education International, I was horrified to learn that trade unionists and in particular teacher unionists were being murdered in Colombia. In 2003 the ACTU Executive endorsed the sending of a broad - based delegation to Colombia. In October 2003 I was privileged to represent the Australian Education Union on this delegation. Together with seven delegates nominated by unions around Australia, I spent twelve days hearing the stories behind the gruesome figures of deaths, disappearances, detentions, displacements and forced exiles.

Colombia is still the most dangerous place in the world to be a trade unionist. According to the International Confederation of Trade Unions (ICFTU), 184 union members were assassinated in 2001, with another 185 in 2002. Mid October 2003, 59 trade unionists had been assassinated including 11 trade union leaders. The group most targetted are teacher unionists. None of the perpetrators has been brought to justice.

As President of the Teachers Federation during the last torrid salaries campaign I never felt that my life or that of my family was in danger. I worked without the protection of armed bodyguards and bullet-proof vehicles. Now that I am back teaching I do not expect to be arbitrarily detained or forced to flee my position because of my continuing union involvement.

Sadly that is not the case in Colombia.

The Colombian Minister for Education in her address for World Teachers Day committed herself to mobilizing the national and international community so that “our teachers are not murdered”. No minister for education in Australia would need to say that!

It was inspirational to meet trade unionists, human rights activists and representatives of social organisations who risk death, detention and being labelled criminals in carrying out their duties.

SECURITY OF THE DELEGATION

The dangerous situation facing Colombian trade unionists and the Colombian Government’s sensitivity to international pressure was clearly shown by the high level of protection our delegation received. We stayed in a secure hotel, which we did not leave

unless accompanied by bodyguards armed with pistols and machine guns. We travelled in bullet-proof vehicles with special number plates allowing priority right of way and accompanied by a police motorcycle escort. This escort stopped the traffic whenever we needed to turn left or right. Stopping makes you vulnerable to attack. On our one night away from Bogota, staying in a teachers cooperative holiday resort, I woke up at 2am to find a bodyguard doing his rounds to check we were all safe.

CHALLENGES FACING THE COLOMBIAN TRADE UNION MOVEMENT

The Colombian Government and employers are breaching international agreements and the Colombian Constitution on human rights and labour rights.

1. PRIVATISATION

The delegation was repeatedly informed that the Government of President Alvaro Uribe Velez is pursuing neoliberal socio-economic policies that satisfy international monetary organisations rather than address the needs of the majority of the Colombian population who live in poverty. Hundreds of thousands have been dismissed from public services and state enterprises under an aggressive program of privatisation. Privatisation has provided the opportunity for the replacement of unionised with non-unionised, casual workforces and the elimination of collective agreements.

The pockets of corrupt politicians and officials have been enriched through the program of privatisation and as a consequence trade unionists have been risking their lives seeking to expose corruption. With President Uribe seeking a controversial free trade agreement with the United States, many of the people we met fear further unemployment if Colombia becomes a dumping ground for US goods. They also fear its natural resources will be exploited without regard for local communities.

2. DENIAL OF UNION RIGHTS

“Union rights” are described by the Uribe Government as “union privileges”. Unionists are seen as “privileged” workers, whose “privileges” have to be taken away in the interests of a fairer society.

In December 2002, the Government passed a law that overthrew pension and labour rights won in collective agreements including an end to overtime for night work, Sundays and public holidays and increased the age at which pensions could be accessed. At the same time public sector salaries were frozen and pensions cut back. It is failing to negotiate new collective agreements in what is left of the public sector, as it seeks through legislation to outlaw collective bargaining. The private sector is following the same anti-union policies.

3. THE ARMED CONFLICT AND THE DENIAL OF HUMAN AND LABOUR RIGHTS

The delegation was repeatedly informed that President Uribe, with the support of the United States is seeking a military solution to the armed conflict. Under the US Government’s “Plan Colombia”, Colombia is the largest recipient of US military aid after

Israel. By not recognising the economic and social causes of the conflict, his policies are promoting the conflict and social division.

Trade unionists repeatedly described a campaign of terror under which they risk:

- losing their lives and the lives of family members;
- receiving death threats and being intimidated;
- being kidnapped, tortured and disappeared;
- being detained without trial; and
- being criminalised as subversives and terrorists if they dare to dissent for the Government line.

Under the policy of “Democratic Security”, President Uribe has legitimised the denial of human rights through arbitrary arrests and detentions. Trade unionists, social activists and NGO’s have all been accused of being terrorists or terrorist sympathisers. Networks of informers have been established. Anti-terrorist laws that would further attack rights of social protest are before the Congress. It was also reported to the delegation that after people have been released from detention after being accused of being ‘subversives’ or ‘terrorists’, their names have been given to the paramilitaries. These people have then “disappeared”.

The right wing paramilitaries were seen as an integral part of the terror with 85% of murders, kidnappings, death threats and intimidation being attributed to the paramilitaries. Trade unionists and human rights activists see the paramilitaries acting in collusion with elements of the Government and the Colombian Army. The delegation was informed that Carlos Castano, leader of the paramilitaries had declared two years ago that all trade union leaders were military targets. The paramilitaries use assassinations and death threats to intimidate people to resign from their union and discontinue any form of social protest. Given the power of the paramilitaries and their connections with elements of government and the Army this is no idle threat. Trade unionists are therefore angry that the Government is currently negotiating an amnesty for paramilitaries who take up civilian life. This will only entrench the culture of impunity and the negative view of unions.

THE IMPORTANCE OF PROTECTION PROGRAMS FOR TRADE UNIONISTS

International pressure has had some impact on the Government of President Alvaro Uribe. Both trade union and Government officials acknowledged that the number of assassinations of trade unionist and their leaders in 2003 has so far been less than in the previous three years. Following international pressure, the Government established a program for the protection of trade union officials who can establish that their lives are under threat. It provides a range of measures from security assessments to the provision of bullet-proof vehicles, bodyguards, bullet-proof vests and phones.

Trade unionists however highlighted the program’s inadequate resourcing. Bodyguards are provided during work hours leaving unionists vulnerable outside work hours. The Government was intending to cutback the levels of protection and even replace union appointees as bodyguards with Government appointees. Trade unionists whose security

threat had been officially recognised have been murdered waiting for protection or have been murdered outside work hours when no protection was provided.

Trade unionists emphasised that whilst the number of murders had declined, the incidence of other tools of repression had increased. They referred to:

- an increase in threats and intimidation;
- more trade unionists being forced to flee from their homes;
- Longer gaol terms for those accused of “subversive” or “terrorist” activity; and
- The elimination of unions through the privatisation of state owned enterprises.

In the partially state-owned oil company, activists were being subjected to psychological ‘reeducation’ by being isolated from other workers.

WORKING AS A TRADE UNION ACTIVIST

Compared to Australia the work of the most at risk trade union leaders is constrained by the need to coordinate the work of bodyguards, ensure bullet-proof vehicles are available, itineraries are not widely known and meetings take place in secure locations. Offices have airport style metal detectors, mail scanners, closed circuit monitoring and bullet-proof windows. The assassination of union leaders requires the nurturing and education of new activists willing to be subjected to the same treatment. Some activists described living in “internal exile” because the elite - controlled media fail to cover human rights violations and so encouraged the culture of impunity. The presence of international delegations such as ours was seen as providing a line of communication with the outside world. As such our mere presence gave hope.

TRADE UNION WINS

The visit to Colombia by the ACTU delegation came at a very important time. President Uribe was seeking support for a broad ranging referendum, which included proposals for the extension of a freeze on public sector salaries and pensions and the elimination of collective agreements. It was seen as a pseudo democratic means of entrenching Uribe’s right wing policies. CUT campaigned for “Active Abstention” in the referendum. The weekend after our departure, the significant referendum proposals had been defeated.

That same weekend saw Lucho Garzon, the former President of THE LARGEST Colombian trade union confederation CUT, elected Mayor of Bogota. The mayoralty of Bogota is considered the second most important political position in the country after that of the President. He was elected representing the *Polo Democratico Independiente*, a centre-left social democratic party with a broad constituency. His election and that of other “socially progressive “ candidates in key positions around Colombia was acknowledged as a genuine historic victory. For the first time in Colombia’s history, the Government in Bogota will have to “cohabit” with a trade unionist. The election was seen as giving hope that the ballot box could yet replace the bullet as a source of hope. His win and that of other socially progressive candidates in other key regional positions showed that despite the repression and limited resources, the trade union movement and social organisations tap into the aspirations of the population.

TRADE UNIONS AND THE PEACE MOVEMENT

Trade unionists, human rights activists and representatives of social organisations in Colombia are campaigning for social justice and a peaceful end to the armed conflict. The delegation participated in the Second National Assembly of Workers for Peace organised by the three trade union confederations. This two-day conference followed regional conferences. Resolutions were taken to the 4th National Assembly for a Civil Society and Peace, which was also attended by the delegation. The Permanent Assembly for a Civil Society and Peace, the organiser of the National Assembly, is a broad based group of unionists, social activists, human rights campaigners including representatives of church groups, indigenous, peasants and women's groups from all over Colombia.

TEACHERS AND TEACHER UNIONISM

Being a trade unionist and a public education teacher requires courage. In 2001, 39 teachers were murdered in Colombia climbing to 83 in 2002. Hundreds of teachers received death threats, were forced to abandon their posts or were arbitrarily detained. By October of this year, "only" 34 teachers had been murdered. This lower figure is attributed to a protection program for unionists instituted by the Colombian Government as a result of international pressure.

Nevertheless the majority of assassinations this year continue to be teacher unionists. Further the number of threats and detentions has increased. So far this year 2 teachers have been "disappeared" and 100 families displaced and forced to live in the capital, Bogota.

Threats to teachers have been in the form of:

- Telephone and written threats;
- Armed people coming to offices and homes;
- Public declarations;
- Demands that teachers resign from the union or leave the area or be assassinated;
- Demands that teachers go to meetings with armed groups and if they do not attend then they are told to leave the area or be assassinated; and
- Demands that schools be used by groups in the conflict and then reprisals when opposing groups find out.

In some areas teachers have had to pay for protection. Displaced teachers reported that the requirement to reveal the sources of their death threats in order to be relocated increases their insecurity. The paramilitaries obtain the lists of denunciations and so teachers can be threatened if they have to move through a paramilitary roadblock on their way to another post.

I met teacher unionists who had received formal written letters with letterheads containing pictures of paramilitaries with guns. The letters declared them to be "military targets" if they failed to resign their positions on the union executive and leave the area by a set date. Teacher unionists showed me their submissions calling on the government

to provide bodyguards and bullet-proof vehicles, bullet proofing of their union offices and the transfer of teachers who had received death threats.

I spoke to teachers who had been forced to leave their homes and their families in rural areas following such death threats from the paramilitaries. They raised the inadequacy of the Government's policy on displaced people. Some said that they were still living in fear as collusion between police, the army and the paramilitaries allows the tracking of people's movements. To claim displaced status and limited government benefits, one must first denounce the violators. Some are not prepared to do this for fear of reprisals on family left behind. They saw the process of denunciation and collusion as another form of state intimidation and a means of forcing them back to their homes.

The Australian Education Union through Education International contributes funding for such displaced Colombian teachers.

I met teachers who have been refused permission for protest marches. Others reported protests being broken up with tear gas and rubber bullets.

Teachers can be vulnerable because of isolation in small, rural communities where the fifty-year old armed conflict for control of land and the drug trade is greatest. They often assume leadership positions in rural areas because the social injustice is so apparent and their education gives them the skills to articulate concerns.

The consequence is that there are schools without teachers and students without an education.

The Colombian teachers union FECODE claims 100% membership and over 300,000 members. It is a strong critic of the Government's economic and social policies. In October the union distributed leaflets to parents across the country calling for abstention in a national referendum which amongst a range of proposals called for the extension of a freeze on public sector salaries and pensions. The Government argued such a freeze was necessary to fund more social programs. The union argued it was to pay off the national debt as called for by the international monetary agencies. The referendum was defeated.

In the university sector, only 30% of universities are now public. Funds are being cut and university autonomy being attacked. Salaries and conditions are deteriorating dramatically. The paramilitaries are active in some universities assassinating and threatening students and teachers.

In the TAFE sector, the Government is running down the system in preparation for privatisation.

BROADER ISSUES FACING TEACHERS

The Colombian Government is restructuring public education consistent with neoliberal models of education. The funding and administration of schools is being devolved to the municipalities. This has meant less investment in education. Parents and school

communities are having to provide greater funding to allow the schools to continue operating. This has meant larger class sizes and some students missing out on an education for lack of places. In a country with very high unemployment and with 60% of the population living in poverty, the underfunding of public education is denying life opportunities where they matter the most.

For teacher salaries, already subject to a freeze, it means pressure to give up hard fought benefits. Teachers are finding it harder to gain permanency and get paid relieving and higher duty allowances. Some teachers I met spoke of not being paid on time by municipal authorities because funds were not available or there was administrative chaos arising from the forced restructuring of public education.

Parental and community participation is being weakened. Schools are being forcibly amalgamated in rural and urban areas to save money.

The Government is increasing its control over the curriculum. Content and assessment practices are being mandated centrally in a standards based approach that fails to recognise teacher professional judgement and take into account the vast social and economic differences within Colombia. Staffing formulae are being standardised.

In a country such as Colombia the attempts to mandate the curriculum and turn teachers into curriculum machines is particularly sensitive. Whilst teachers have been killed and threatened because of their community leadership role, this is precisely what makes the job so valuable. The policy of deprofessionalising teachers, which we in Australia are familiar with, has a more sinister political objective in Colombia, where governments are so much more vicious in eliminating dissent.

There has been an increase in teacher stress and resignations. The shortage of teachers is critical.

It's all so familiar. Fighting the agenda is more deadly.

THE IMPORTANCE OF INTERNATIONAL PRESSURE AND SOLIDARITY

The Deputy Foreign Minister acknowledged that the Colombian Government still has a long way to go in protecting trade unionists.

Trade unionists and state officials working in the human rights area stressed that human and labour rights violations would be even greater but for international solidarity, international pressure on the Government and international funding of human rights activities. The Dutch, Swedish and Canadian governments fund programs in government human rights agencies such as the Attorney General's and Ombudsman's Office (*Procuraduria*) and the Public Defender's Office (*Defensoria del Pueblo*).

International pressure has contributed to the Ministry of the Interior providing security programs for trade unionists, journalists and human rights defenders. The Government has had to reexamine its offer of an amnesty for human rights abuses in its negotiations

with the paramilitaries. President Uribe has been forced to modify his claims that NGO's were linked to terrorists.

Continued pressure is needed to ensure the protection program is not weakened or taken away. In our meeting with the Deputy Foreign Minister, the delegation raised deficiencies in the protection program for Domingo Tovar, Director of CUT's Human Rights Department. Trade unionists mentioned that the Government was planning to weaken the program from November 30 2003. The Government would have the power to choose the bodyguards for trade unionists and protection would be for only 6 months unless the person continued to receive threats.

RECOMMENDATIONS

1. The AEU to lobby the Howard Government to support an ILO Commission of Inquiry into the situation facing trade unionists, including teacher trade unionists, in Colombia.
2. The AEU to call on the Colombian Government to:
 - maintain public provision in the areas of education, health and services;
 - negotiate with workers in these sectors;
 - sever ties between the military and paramilitary;
 - investigate, prosecute, convict and punish the persons responsible for the assassinations of trade unionists;
 - enhance protection programs for union leaders and activists and properly fund them; and
 - support and cooperate fully with an ILO Commission of Inquiry into the violation of human rights including both the right to life and fundamental rights at work.
3. The AEU to establish an Action Colombia webpage with information concerning the Australian Solidarity Network with Colombia, links to the ICTUR website and facilities to send emails denouncing human rights abuses.
4. The AEU to encourage affiliates to have a webpage devoted to solidarity action for Colombian trade unionists and in particular Colombian teacher trade unionists.
5. The AEU to develop a fact sheet on Colombia to send to:
 - relevant politicians and the political parties
 - select media figures.
6. AEU affiliates and associated bodies be encouraged to address local labour councils and union organisations on the human and labour rights violations in Colombia.
7. The AEU to assist in the translation of videos and relevant material into English.
8. The AEU to support further delegations in conjunction with CUT – to further offer solidarity to teacher unionists, women's activists and indigenous groups.
9. The AEU to raise with Education International the sending of delegations to Colombia and continue with solidarity work with FECODE, including the funding of projects.
10. The AEU to continue to support Education International's efforts to assist Colombian teacher trade unionists.
11. The AEU to raise with the Howard Government the resettlement of a limited number of Colombian trade unionists, in particular teacher trade unionists.