

URGENT ACTION

TRADE UNIONIST KILLED, OTHER MEMBERS AT RISK

Trade union member **Oscar López Triviño** was killed on 9 November in Bugalagrande, south-western Colombia. A day earlier, paramilitaries sent a death threat to members of the union to which he belongs. Other members of the union are at risk.

On 9 November a man shot and killed **Oscar López Triviño** in a billiard hall in Bugalagrande, Valle del Cauca Department. Oscar López Triviño worked for Nestlé and was a member of the Bugalagrande branch of the National Union of Food Industry Workers (Sindicato Nacional de Trabajadores de la Industria de Alimentos, **SINALTRAINAL**). On 8 November, the paramilitary group Los Urabeños sent a death threat by SMS to the phones of **José Onofre Esquivel Luna** and **Álvaro Varela Pérez**, who are both leaders of the Bugalagrande branch of SINALTRAINAL and work for Nestlé. The death threat read: "Guerrilla fighters son-of-a-bitch you continue to mess with Nestlé [,] no more forgiveness [,] we will cut you up [,] death to all communists of SINALTRAINAL Urabeños" (*guerrilleros hp siguen jodiendo a Nestlé no mas perdón los picaremos muerte a todos los comunistas de Sinaltrainal Urabeños*).

Members of SINALTRAINAL have been on hunger strike since 5 November in front of the Nestlé factory in Bugalagrande. They have been demanding that various agreements made with the company are respected. Initially the hunger strike was to start on 10 October but had to be stopped after a few hours due to threats.

Since its creation in 1982, members of SINALTRAINAL have received repeated death threats from paramilitaries and more than 20 members of SINALTRAINAL have been killed. According to the trade union 13 of those killed had worked for Nestlé. Nestlé has previously denied any link to paramilitary violence; however, Nestlé does have a duty to assist the authorities in undertaking full and impartial investigations into the latest killing and threats and to call on the authorities to undertake such action, as a means to guarantee the safety of the trade union members and ensure that the company does not benefit from paramilitary acts.

Please write immediately in Spanish or your own language:

- Calling on the authorities to order a full and impartial investigation into the killing of Oscar López Triviño and the death threats against the members of SINALTRAINAL in Valle del Cauca, and to publish the results and bring those responsible to justice;
- Expressing concern for José Onofre Esquivel Luna, Álvaro Varela Pérez and others of SINALTRAINAL and demanding that the authorities provide protection for those threatened, as agreed with those in danger;
- Urging Nestlé to cooperate fully with criminal investigations into the latest killing and threats and calling on the Colombian authorities to ensure that full and impartial investigations are advanced.

PLEASE SEND APPEALS BEFORE 24 DECEMBER 2013 TO:

President

Señor Juan Manuel Santos
 Presidente de la República, Palacio de
 Nariño, Carrera 8 No.7-26,
 Bogotá, Colombia
 Fax: +57 1 596 0631 (keep trying)

Salutation: Dear President

Santos/Excmo. Sr. Presidente Santos

Nestlé S.A.

Mr Paul Bulcke
 Chief Executive Officer
 Nestlé S.A.,
 Av. Nestlé 55,
 1800 Vevey, Switzerland

Salutation: Dear Mr Bulcke

And copies to:

SINALTRAINAL
 Carrera 15 # 35-18
 Bogotá, Colombia

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
 INTERNATIONAL**



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ADDITIONAL INFORMATION

Trade unions, human rights organizations, and other social organizations in Colombia have often been labelled as guerrilla collaborators or supporters by government officials, as well as by the security forces and paramilitaries. Such accusations have often been followed by threats or attacks against human rights activists. Colombia is one of the countries with the highest rate of killings of trade unionists. These trade unionists face repeated death threats and killings in the context of labour disputes and campaigns in favour of their socio-economic rights.

Colombia's paramilitary groups supposedly demobilized in a government-sponsored process that began in 2003, but it is clear from the threats against human rights organizations and trade unions, in Valle de Cauca and elsewhere, that they are still operating. Guerrilla forces have also been responsible for numerous killings and threats in south-western Colombia in recent years.

In recent years, SINALTRAINAL has been involved in a number of labour disputes, often with large multinational companies. These disputes have often coincided with reports of threats and attacks against members of the union, mainly by members of the security forces or paramilitary groups.

Luciano Enrique Romero Molina, a leader of the Cesar branch of SINALTRAINAL was killed in September 2005. His body bore more than 40 stab wounds. He had been employed by Nestlé-CICOLAC in Valledupar, Cesar Department.

In 2007 Amnesty International issued a report on the critical human rights situation faced by trade unionists in Colombia (<http://www.amnesty.org/en/library/info/AMR23/001/2007>). The report highlighted the fact that companies could be held accountable for and should not profit from human rights abuses for which, through their conduct, they may bear responsibility.

In the report, the organization called on companies, including Nestlé, to act proactively to call on the Colombian authorities to take decisive action to end impunity in cases of human rights abuses against trade unionists. An end to impunity in these cases would help ensure that trade unionists could continue to undertake their legitimate work in safety and to ensure that companies did not run the risk of benefitting from human rights abuses against trade unionists, many of which have occurred in the context of industrial action. Amnesty International understands that in recent correspondence to non-governmental organizations in Switzerland Nestlé has rejected any form of violence or intimidation against its employees and called on the authorities to guarantee the safety of threatened workers.

Name: Oscar López Triviño (m), José Onofre Esquivel Luna (m), Álvaro Varela Pérez (m) and other members of SINALTRAINAL
Gender m/f: both

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