

URGENT ACTION

TRADE UNIONIST ATTACKED, LIFE AT RISK

Trade union leader José Onofre Esquivel Luna was in a car in Medellín, northwest Colombia on 16 June, when two men started shooting at him. His safety is at risk.

On 16 June **José Onofre Esquivel Luna**, vice-president of the Bugalagrande branch of the National Union of Food Industry Workers (Sindicato Nacional de Trabajadores de la Industria de Alimentos, **SINALTRAINAL**), which represents workers in the Nestlé plant in Bugalagrande, Valle del Cauca Department, was travelling in a car in Medellín, Antioquia Department, when two men on motorbikes started shooting at him. He was with two bodyguards, which were assigned to him together with a vehicle by the National Protection Unit, a government protection programme. The bodyguards returned fire, killing one of the assailants. The other assailant was injured and detained. A bus driver who was passing by was also injured.

José Onofre Esquivel Luna had been travelling to Medellín to attend a meeting of SINALTRAINAL leaders from different regions in Colombia, which was due to begin on 17 June. The meeting was suspended following the attack.

José Onofre Esquivel Luna also received paramilitary death threats on 8 November 2013, a day before Oscar López Triviño, another member of the union in Bugalagrande, was killed. In recent years SINALTRAINAL has been involved in a number of labour disputes, often with large multinational companies. These disputes have often been followed by threats and attacks against members of the union made by paramilitaries, either acting alone or in collusion with the security forces.

Please write immediately in Spanish or your own language:

- Calling on the authorities to order a full and impartial investigation into the attack against José Onofre Esquivel Luna, to publish the results and bring those responsible to justice;
- Expressing concern for the safety of José Onofre Esquivel Luna and other members of SINALTRAINAL and demanding that the authorities provide protection for those threatened, as agreed with those in danger;
- Urging them to take immediate action to dismantle paramilitary groups and break their links with the security forces, in line with repeated UN recommendations.

PLEASE SEND APPEALS BEFORE 31 JULY 2014 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

Minister of Interior

Aurelio Iragorri Valencia
 Calle 12B No 8-46, Primer Piso
 Bogotá, Colombia
 Fax: +57 1 283 9876

**Salutation: Dear Minister / Estimado
 Sr. Ministro**

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. This is the first update of UA 310/13. Further information:
www.amnesty.org/en/library/info/AMR23/052/2013/en

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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. They 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 southwestern Colombia in recent years.

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.

On 8 November 2013 the paramilitary group Los Urabeños sent a death threat to José Onofre Esquivel Luna and Álvaro Varela Pérez, also a trade union leader of the Bugalagrande branch of SINALTRAINAL. On 9 November 2013 a man shot and killed Oscar López Triviño, who was also a member of the Bugalagrande branch of SINALTRAINAL. Oscar López Triviño worked for Nestlé, as do José Onofre Esquivel Luna and Álvaro Varela Pérez.

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. The report 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: José Onofre Esquivel Luna (m) members of SINALTRAINAL
Gender m/f: both

Further information on UA: 310/13 Index: AMR 23/025/2014 Issue Date: 19 June 2014