

The U.S.-Colombia Free Trade Agreement: Three Moral Concerns

Remarks of Lisa Haugaard, director, Latin America Working Group
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Trade is not often thought about in terms of morality, but any human activity that has the potential to strongly affect vast numbers of people should be thought of in its moral dimensions. I would like to raise three moral concerns with this particular trade agreement, at this time. These concerns go beyond the important general concerns often raised about unequal impact of these kinds of trade agreements.

The first concern is that fundamental labor rights are profoundly not respected in Colombia. Indeed, one of the most basic labor rights, the right to organize and still stay alive, remains in peril. Colombia is still the most dangerous place in the world, by far, to be a trade unionist. Once again in 2010, the International Trade Union Confederation determined that more trade unionists were murdered in Colombia than in the rest of the world combined (49, out of 90 trade unionists murdered worldwide). You can't contemplate this scale of violence and argue it away as the natural consequences of war and crime. Unionists in Colombia are brutally targeted.

And the violence continues. Hernan Dario Escobar, a labor lawyer who defended the sugar cane cutters and public sector workers in Cali, died in June after being in critical condition since May 13th with gunshot wounds.

Now, both the Colombian and the U.S. governments deserve credit for signing the Labor Rights Action Plan, and I believe it is important to press for full realization of this plan, which if completely implemented in letter and spirit would move the nation in the right direction. It contains commitments to expand protection for labor unionists and increasing respect for some core labor rights. But it is not enough. In terms of reducing violence against trade unionists, it rewards promises rather than results, and there are no enforcement mechanisms if the FTA is signed and violence continues full tilt. We need to see an end to union leaders being gunned down, and we need the perpetrators brought to justice.

Union leaders are not the only activists who are targeted today in Colombia. All those who organize to defend people's rights are targeted. Just this week, Colombia's major networks of human rights, nongovernmental and community organizations decided to walk away from the meetings that they had been having with the government over guarantees for their safety. At least 20 defenders have been killed this year, and the Santos government, for all its better words, which are welcome, is not responding with action to protect defenders, prevent, investigate and punish threats and attacks, nor even to ensure that official security forces or other government agents are not involved.

The second moral concern is that the free trade agreement will harm those who have already suffered so much in the conflict: the poor, rural population, the displaced and returned communities, Afro Colombian and indigenous communities.

Even the most ardent backers of trade agreements know that there are winners and losers in trade agreements. Our concern is that the losers will be too often the poor farmers who have borne the brunt of the war.

Five million people have been internally displaced in Colombia. Most of these people, these victims of war, are rural farm families. Some are farming in new areas, some still long to return to the land. And those who stayed and endured, who lost relatives, who suffered but stayed, are also farm families.

Many grow crops that will be affected by increased, cheaper agricultural imports. They have little access to government programs to assist farmers, agricultural credit and extension services.

One study by prominent Colombian economists estimates that small producers will lose on average 16 percent of income from agriculture but that those most dependent on products that compete with agricultural imports could lose 48 to 70 percent of their income.

It's imperative to encourage both governments to come up with plans to ease impact on small farmers, returning communities, and indeed, on the alternative development programs in which our government has invested heavily and in which our government persuaded thousands and thousands of poor farmers to put their trust.

The third moral concern is how trade intersects with conflict. This is a trade agreement being implemented with a country still in conflict.

You've heard about conflict diamonds. Well, Colombia has conflict coal and conflict hydroelectric dams and conflict gold and conflict cattle and conflict African palm for biofuel.

I visited the areas of Córdoba and Sucre with Lutheran World Relief in April and this point became very real to me.

We found rural communities, including returned communities, still living in terror. People are still getting newly displaced or being threatened so much they may have to displace for a second or third or fourth time. Even the returns embraced by the government, held up as examples, inaugurated with ceremonies, are at risk of new displacement.

We learned that paramilitary successor groups are all over, in both rural and urban areas. The Black Eagles, Paisas, Rastrojos. According to those who spoke with us, "son los mismos," they are the same paramilitaries as before. And in some areas, guerrilla groups still hold sway, demanding protection money and threatening and displacing communities.

We found that the paramilitary successor groups were establishing curfews, threatening and asserting control over communities and murdering people. "We see the bodies in the rivers and the vultures in the mountains," we were told. Over 500 people killed just in Córdoba in 2010.

We heard, again and again, of how landowners were paying paramilitary groups to threaten communities to expand their land for cattle ranching or mining. They were using violence to promote legal business activity, not just to make way for transport of illegal drugs. This is important: the violence is not just about illegal drugs, it's deeply entwined with local legal economies.

The local and national government is unwilling or unable to protect communities. I want to tell you the story of an indigenous leader who was determined to defend his community, which had suffered increasing killings in the last three years.

He went to the local Attorney General's office to report violence his community was experiencing. He was told by that office, "Why are you telling us this? You know it will just get back to them [the illegal armed actors]."

But he was not deterred. When another abuse occurred, he went back to the Attorney General's local office to report it. This time he was told, "You smell like a snuffed-out candle," as if he were already dead.

But he came back a third time, to report a third crime. This time he was told, "You can't lodge another complaint, you already have two that have not been answered."

In the most charitable interpretation, the government is failing to protect the population; but in many cases, local government members are still allied with paramilitary successor groups.

Not all is negative in Colombia. The Santos Administration just succeeded in getting through Congress a groundbreaking victims' law that includes the return of land to a portion of those displaced by violence. In our recent report with Lutheran World Relief, *No Relief in Sight*, we have specific recommendations about steps the Colombian and U.S. governments can take to implement the positive elements of this legislation, and help people return, but to do it safely. ***Without thinking through protection, on the ground and not just in theory, in too many cases, what sounds like a positive action, land return, will mean sending people to their deaths.***

To bring this back to trade. In many conflict areas of Colombia, businessmen are still paying paramilitary groups to threaten and kill so that they can expand their landholdings to increase production of oil palm, cattle, and mining. Paramilitary forces themselves are expanding their control of these products using fear and force. It is these very products, rather than the small farm production, that will most benefit from increased trade and investment with the U.S.-Colombia FTA. What happens when you make these exports even more profitable, at the same time as you ease up internationally on pressure for Colombia to respect and protect human rights?

The answer we heard from the poor farmers with whom we spoke is that "It will escalate the conflict."