

# Killer Cola?

By Tovin Lapan



Photo by Tovin Lapan

**O**n July 26, 2005 I landed in Bogotá, Colombia with fellow journalist Robert Harris. We were there to investigate the violent repression of a bottlers union working with Coca-Cola. For over a decade union organizers and their families had been assassinated, imprisoned, threatened and psychologically tortured. Despite the fact that the workers were employed by one of the largest companies in the world — one born and based in Atlanta, Georgia — Americans had just started taking notice.

A lawsuit against Coca-Cola and its bottlers was filed in a Miami federal court in 2001 under the Alien Tort Claims Act, which allows plaintiffs to sue a U.S. company in America for actions abroad. Lawyers from the International Labor Rights Fund took up the case and, with the assistance of the United Steelworkers, nonprofit groups and college activists, word began to spread of the allegations against Coca-Cola in Colombia.

Leaders from the bottler's union, the National Syndicate of Food Industry Workers, (SINATRAINAL), accused the bottling plants and Coca-Cola management of complicity with paramilitary groups suspected of perpetrating violence against them. Activist groups leading the international campaign against Coca-Cola played a key role in the company losing contracts at university campuses in the United States, Canada and Ireland. After a 2004 delegation from New York led by city councilman Hiram Monserrate returned from a fact-finding trip to Colombia convinced that Coca-Cola, at the very least, was negligent in its behavior, if not complicit in the violence, the campaign grew stronger.

Coca-Cola responded to the accusations with internal investigations that found little. They pointed out that Colombia is a notoriously dangerous country dogged by a decades-long civil war and that violence against union organizers is rampant nationwide. In 2002, of

A worker at the Carepa bottling plant inspects soda bottles.

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Photo by Tovin Lapan.

Efraín Guerrero, president of SINATRAINAL's Bucaramanga chapter, displays a death threat he received from the paramilitary group AUC.

the 213 union leaders murdered worldwide, 184 died in Colombia. In less than a decade union membership in Colombia has dropped from 12 percent of the workforce to just 3.5 percent. As workers have become too intimidated to join unions, more and more temporary workers have been hired.

Coca-Cola claimed that it does everything it can to protect its workers and its management was in no way involved in the murders and threats. Additionally, Coke noted, their bottling partners are independent companies for which they are not responsible.

After interviewing everyone we could in the

United States it was clear to us that it would be near impossible to decipher what was really happening at the bottling plants in Colombia without investigating for ourselves, something few journalists had done. We soon found that the situation was much more cloudy and complex than we could have ever imagined.

## Bucaramanga

The first stop on our trip was Bucaramanga, an industrial town in the hills of northeast Colombia. The local union had gone from 350 members working at Coke to just 35 since 1991.

The first morning Efraín Guerrero, president of the local chapter of SINATRAINAL, met us in our hotel lobby, a green canvas bag with a silver revolver slung over his shoulder. In November 2004 he had received a letter that read in part:

We inform you that we have made a military judgment to force you from the areas of your influence or to kill you. We will show no mercy to those trade unionists who have initiated legal proceedings against government or private company officials.

Guerrero's brother and sister-in-law had been shot and killed earlier in the year by suspected members of the United Self-Defense Forces of Colombia (AUC), the largest and most powerful paramilitary group in Colombia. Less than 10 percent of murder cases in Colombia ever see a conviction, so Guerrero does not expect to see the murderers of his family brought to justice.

We later met three union members who were arrested and imprisoned for six months after being accused of planting a bomb in the Bucaramanga plant and working with leftist guerrillas. Alvaro González broke into tears as he recounted his time in jail. His wife lost her job for being the "wife of a terrorist." As the family started to run out of money she had to sell her jewelry and other possessions to care for their four children. Finally, after six months, a Colombian court found no evidence that a bomb ever existed; all four were declared not

guilty. The workers had no option but to return to their jobs at the plant where they had been accused of being terrorists. No one else would hire them.

Most of the Coca-Cola bottling plants in Colombia, including the one in Bucaramanga, are owned by Coca-Cola/Femsa, the company's second largest bottler. Coca-Cola actually owns 39 percent of the company, which operates in much of Latin America and is based in Mexico. Femsa refused to give us an interview, stating that the ongoing lawsuit in the U.S. prevented them from talking to reporters about union accusations.

At dusk one morning we waited outside the plant to speak to nonunion workers. One truck driver told us that he worked from 6 a.m. to 10 p.m. every weekday and a half-day on Saturday but barely made enough to care for his family of four.

"The union is good, but I won't join the union," he added. "If I join the union I'd soon be out of a job."

As we walked down the driveway I saw a line of men sitting on the wall, hanging their heads silently. One man told me that when he showed up in the morning security would not allow him into the plant. He had lost his job, with no explanation, no warning and no contract.

## **Barrancabermeja**

Barrancabermeja lies two hours west of Bucaramanga in the Magdalena de Medio valley. SINATRAINAL leader Juan Carlos Galvis was our guide to this hot, humid town, the birthplace of Colombia's paramilitary forces. He showed us around in a bulletproof SUV piloted by armed guards. Galvis was ambushed two years ago; he survived the midday public attack, but the assassins killed a young boy in the drive-by.

The security agency for the government, DAS, provides vehicles, cell phones and armed guards for union leaders, politicians and other Colombians deemed to be threatened by paramilitaries, guerillas, narcotraffickers or other groups. Like Guerrero, Galvis carries his own handgun for protection.

Our SUVs rumbled down the broken streets of Barrancabermeja's paramilitary-controlled neighborhood to a low, muddy river where

paramilitaries bring their victims to torture or execute. The bodies are then dumped in the river. Access to the neighborhood was made difficult by the maze of streets blocked in places by piles of rocks and rubble. The rough terrain gives the paramilitaries the upper hand during raids by authorities: they are able to navigate the perilous streets and escape through the thick grass and trees surrounding the town.

In Barrancabermeja the number of union members has dropped from 100 in 1992 to 22 today. Violence against the families of union leaders is common here as well. Despite that fact, most of the relatives of the union leaders we talked to never expressed any desire to run away or to ask their loved one to give up labor-organizing. They feared for the lives of their family members but refused to be dissuaded from what they saw as a necessary struggle. To give up would be to let the paramilitaries win and to fail at what they had struggled for most of their lives.

At our next stop, the paramilitaries seemed to be winning.

## **Carepa**

Near the Panama border, just east of the Uraba Bay, is the small Coca-Cola bottling plant in Carepa, owned by Bebidas y Alimentos de Uraba, the only non-Femsa bottler we visited. In the mid-1990s the AUC and the leftist guerillas of the Revolutionary Armed Forces of Colombia (FARC) and the Popular Liberation Army (EPL) fought for control of this important banana growing and port region. During this violent period, five SINATRAINAL workers were killed. Among them was local union president Isidro Segundo Gil who was brutally gunned down just inside the bottling plant fence in December of 1996.

After the attack, according to the workers we spoke to, an armed group came to the plant and gave them the option to sign letters renouncing their membership in the union or be killed. They signed. SINATRAINAL was forced to leave the region, and the union has never returned.

The Carepa plant was the only one to give us access. Inside we spoke to the leaders of the new union, SICO. SINATRAINAL, one of the more radical unions serving the Colombian bottling

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A Coca-Cola sign marks the city limit of Carepa, an area where some of the worst anti-union violence has occurred.



Photo by Tovin Lapan.

and food industry, view less aggressive unions, such as SICO, as “company unions.” However, SICO, too, has an antagonistic relationship with the bottler. One of the chief complaints at all of the plants is the hiring of temporary workers who do not receive benefits or contracts. In 2004, SICO was days away from calling a strike over this issue when the powerful local banana workers union, SINTRAINAGRO, stepped in to support SICO and got the Carepa management back to the bargaining table.

The Miami lawsuit claims that management let paramilitaries inside the plant to threaten workers. Upon entering, we saw how difficult it would be to prove this claim. In stark contrast to the Bucaramanga plant, which had high walls rimmed with razor wire and security cameras constantly scanning the perimeter, in Carepa there was only a low fence surrounding the plant and little security. The paramilitaries could have been let in, or they could easily have scaled the fence on their own.

While ownership of the Carepa plant hasn’t changed since the period of violence, the management accused of working with the AUC

has been replaced. The new manager, Silvia Rodriguez, told us the workers have health insurance and other benefits and that the company helps the community by sponsoring soccer teams and providing water for bicycle races and other activities. Carepa mayor William Ortiz, a former president of SINTRAINAGRO, also claimed that the plant was a positive force in the community, providing work and reinvesting in the region.

## Bogotá

Back in Bogotá the story became even more complicated. We met with SINTRAINAL vice president Edgar Paez who vehemently denied any connection between the union and leftist guerillas, claiming that it is a lie used to dismiss attacks against union leaders as part of the civil war.

However, in Carepa, the EPL was strongly tied to the local banana unions. Current SINTRAINAGRO president Osvaldo Cuadrado admitted in an interview that during the 1990s he would work in the city as a union leader five days a week then venture into the hills on

weekends to fight with his comrades in the EPL, so it is not unheard of for union members to be linked to guerilla activity.

Coca-Cola Colombia's public relations director Pablo Largacha also met with us to share the company's viewpoint. Largacha claimed that the company works hard to be a positive and beneficial member of the Colombian community and to protect its workers. While workers who feel threatened await assistance from the government, the company provides security. They offer cell phones, shift changes and loans to relocate. Coca-Cola has also started a foundation to help Colombian children who have lost family due to the civil war. He also strongly denied any connection to the paramilitaries or complicity in the violence against workers. Largacha pointed out that at the national level only 4 percent of workers are unionized while Coca-Cola's workforce is 34 percent unionized.

We also met with the president of SINALTRAINBEC, another union that works with Coca-Cola. Behind the bulletproof windows of his office Carlos Alfonso Ortiz said he won't back any accusations against Coke until he has concrete proof of its cooperation in the

violence. Members of his union have been killed and threatened, but he still sees no connection between the company and the AUC. Ortiz even traveled to Delaware for the Coca-Cola shareholders meeting to defend the company's reputation. Sandwiched between lines of activists who had come to denounce the multinational corporation, Ortiz implored the crowd to wait until all the facts were in to decide.

Since the majority of the violence took place several years ago and little legal progress has been made due to the chaotic and corrupt Colombian justice system, it is unlikely any smoking gun will be found. One thing for certain is that SINATRAINAL has been decimated by the constant threats and attacks on its membership, and little is being done to stop the bloodshed. Few people will join the union when they see that the price paid for extra benefits and job security is constant fear. Workers remain on edge waiting for the next assassination or kidnapping attempt.

Tovin Lapan is a graduate student in the School of Journalism at UC Berkeley. He was the recipient of a 2005 Tinker Grant from CLAS which funded his travel to Colombia.

Luís Eduardo García was imprisoned for six months after being falsely accused of terrorism. During that time his daughter had to drop out of school.



Photo by Tovin Lapan.