

CENTRAL OFFICE

LMc/jjf

10 January 2012

HE Mauricio Rodriguez
Colombian Embassy to the United Kingdom
3 Hans Crescent
London
SW1X OLN

Dear Ambassador,

I am writing again on behalf of UNITE's 1.5 million members to express our concern for colleagues of our sister union FENSUAGRO.

We wrote on 11th August 2011 regarding the unjust imprisonment of six FENSUAGRO members - Alexis Antonio Arroyo, Eulogio Tapiero Galindo, Manuel Antonio Marquez and Telmo Cuero Tegue on 22nd June, Climaco de la Cruz Rodriguez on 30th July and Faustino Carabali Rodriguez on 7th August. Despite highlighting their cases to the Colombian authorities, all six continue to be held in Mocoa Prison, Putumayo on charges of "rebellion".

We understand that the cases against all six are based on the testimonies of supposed demobilised guerrillas; evidence which is often used in false cases against trade unionists and which according to a Colombian constitutional court ruling cannot be used as evidence for opening judicial proceedings. Another "principal witness" of the prosecution is illiterate and has claimed he does not know the content of the statement he signed. We also know that in February 2011 the six took part in a high profile event highlighting human rights abuses in Putumayo and it appears that their detentions are a crude attempt to silence them.

We are concerned by obstacles to guarantee them due process. On 5th November the hearing of Telmo Cuero Tegue was postponed as the public prosecution failed to present their witnesses. The following day, the hearing of Alexis Antonio Arroyo, Eulogio Tapiero Galindo and Manuel Antonio Marquez was postponed, when INPEC refused to transfer the prisoners to Puerto Asís, where the trial would take place. This hearing was rescheduled to take place on the 11th January 2012, however has recently been postponed yet again, at the request of the state prosecutor. This kind of delay incurred by the Colombian authorities is unacceptable and appears to be an attempt to arbitrarily prolong their detention.

Furthermore, as a result of these delays, the Colombian legal period permitted for imprisonment during a legal process has now expired. However the defence's request for them to be freed on this basis was denied, with no proper justification given. The defence appealed this decision on the 12th December 2011, and we very much hope this appeal will be upheld and that they will be released as due process demands.

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We are also concerned by attacks on those who defend the rights of Fensuagro members. On 24th November 2011 two computers were stolen from the office of Edgar Montilla Gonzalez, defence lawyer to the prisoners, including a database of human rights violations over the last 20 years in the department of Nariño. On 18th August 2011 Mr. Montilla narrowly escaped an assassination attempt when travelling on the road from Putumayo to Narino department and on 19th and 20th October he received threatening phone calls warning him to drop a human rights case. Mr. Montilla has requested increased protection measures from the Ministry of the Interior, but as yet no action has been taken and the crimes against him have not been properly investigated.

It is clear that there is little political will to improve the human rights situation for trade unionists in Colombia. The cases mentioned above are just six of around 75 members of Fensuagro currently imprisoned and many more continue to face threats, false accusations, assassinations and forced displacement. As you are aware, UNITE has a long and close relationship with FENSUAGRO, having recently signed a partnership agreement. We consider an attack against one of their members as if it were an attack against one of our own.

We urge the Colombian authorities to put their rhetoric into action; release these six and others like them detained in Colombia and ensure fair legal processes, provide increased protection measures for Mr. Montilla and others who risk their lives to defend human rights, and investigate the crimes against them.

I look forward to hearing from you with progress in this matter.

Yours sincerely,



LEN McCLUSKEY
General Secretary

cc: Rt Hon William Hague MP, First Secretary of State, Secretary of State for Foreign and Commonwealth Affairs, UK
HMA John Dew, British Ambassador in Colombia
Amnesty International
Justice for Colombia
CUT, Colombian trade union confederation
FENSUAGRO, Colombian agricultural workers' union