

Seven Points to Settlement

Point One: Acknowledge Underlying Facts. The events alleged in the four Complaints filed in federal district court in Miami, Florida are objectively verifiable. For example, Mr. Isidro Gil was murdered in the Coca-Cola bottling plant in Carepa. The Plaintiffs are extremely distraught that Coca-Cola's public statements have labeled these allegations as "false" since this constitutes an effort to alter the historical record.

Point Two: Public Statements Denouncing Anti-Union Violence. Coca-Cola and Panamco/FEMSA should issue strong, public statements throughout the press in Colombia and in the world denouncing violence, and particularly anti-union violence, by all armed actors in Colombia. The companies should state that such violence, regardless of who commits it, is seen by corporations such as themselves as being bad for business and investment. Specifically, they should publicly state that if the paramilitaries see themselves as protecting the interests of domestic and foreign investment, they are wrong; that their violent conduct, especially against trade unionists, is bad for business and investment and must cease. Coca-Cola and Panamco/FEMSA must also make public statements in the press indicating their belief that, contrary to the statements made by local Colombian management, Sinaltrainal is not connected with any armed groups in Colombia, and acknowledge that the violent acts described in the four federal complaints was unlawful.

Point Three: Human Rights Committee. Coca-Cola and Panamco/FEMSA must agree to support the creation of an independent committee to which workers can submit complaints about anti-union violence and intimidation at or around any Coca-Cola bottling plant. The Committee will work with such employees and the union to address such concerns in a productive way.

Point Four: Investigation and Training: Coca-Cola and Panamco/FEMSA must encourage the proper authorities in Colombia to investigate links between local Colombian management and the armed groups, particularly the paramilitaries. Further, the companies must conduct their own internal investigations and remove management with such links. This investigation must be subject to independent review. Coca-Cola and Panamco/FEMSA should also conduct training with all management personnel and employees in which they strongly stress that any collusion with armed actors or any encouragement of anti-union violence by these actors, whether material or moral, will not be tolerated and will result in immediate discharge.

Point Five: Address Anti-Union Impact of Violence. As a consequence of the anti-union violence that is the subject of the four legal cases, SINALTRAINAL has suffered significant losses of members and other institutional damage. In order to address this distinct aspect of the violence, Coca-Cola must agree to require its bottlers to negotiate with SINALTRAINAL and to agree to a process to repair the damage suffered by SINALTRAINAL. This shall include prohibiting any of the Coca-Cola bottlers from referring to the union in a derogatory way, such as calling it a "guerilla union," reinstating union members who fled following specific death threats from paramilitaries or who were discharged unlawfully for their union activity, and allowing SINALTRAINAL to have access to workers prior to elections in any of the subject bottling plants where SINALTRAINAL was decertified following the acts of violence due to lost membership from terror and intimidation.

Point Six: Cessation of Criminal Charges. Coca-Cola and Panamco/FEMSA must stop pressing criminal legal action against the Plaintiffs as they have done since shortly after, and in retaliation for, the Plaintiffs' commencement of the civil human rights lawsuit in Miami.

Point Seven: Compensation for Victims