The politics of cooperation:

Trade unions and NGOs countering violence against trade unionists in Colombia

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To my family, for all their love and support.
To my ISS family and friends in The Netherlands for sharing
their hearts and thoughts with me.

Contents

List of Tables

List of Figures

List of Acronyms

AFL CIO	American Federation of Labor and Congress of Industrial Organizations
AI	Amnesty International
ANDI	National Business Association of Colombia
CCJ	Colombian Commission of Jurists
CERAC	Centre Conflict Analysis Resource
CGT	General Central of Workers
CINEP	Centre for Research and Popular Education
CTC	Workers' Central of Colombia
CUT	Unitary Central of Workers
EIDHR	European Instrument for Democracy and Human Rights
ENS	National Union School
EPL	Liberation Popular Army
EU	European Union
FARC	Revolutionary Armed Forces of Colombia
FECODE	Federation of Colombian Educators
FNV Mondiaal	Federatie Nederlandse Vakbeweging
FTA	Free Trade Agreement
HRW	Human Rights Watch
IACHR	Inter American Commission of Human Rights
ILO	International Labour Organization
ITUC	International Trade Union Organization
NGO	Nongovernmental Organization
UN	United Nations
UNDP	United Nations Programme for Development
USA	United States of America
USO	Oil Industry Workers' Trade Union
VMP	Trade Union Co Financing Programme
WOLA	Washington Office for Latin America

Abstract

This research is focused on the joint work done by unions and NGOs to protect and guarantee unionists' rights in Colombia. It aims to demonstrate that alliances between both organizations in countering violence have been influenced by the logic of international rights defense in the late twentieth century. By conducting semi-structured interviews, reviewing organizational documents, and secondary data, it was found that rights based approaches to development, donors' aid, and international human rights networks have played a role in alliances development. It was found that in this context alliances have been based on NGOs experience operating within international advocacy human rights networks. In addition, alliances are influenced by donors aid funding resulting from the NGOs rights based approaches. The conclusions draw on the impact that collaboration dynamics have had on the approaches to violence against unionists in Colombia.

Relevance to Development Studies

Networking and cooperation between civil society groups have been situated by development agencies, international organizations, and states as key activities for achieving conflict resolution, democracy, human rights and development in developing countries (Gready and Ensor 2005; Bebbington et al 2008). Thus, it is important to bear in mind that civil society relationships are political too, alliances are not fixed, but conversely, they are constructed in specific spaces and times, and may involve relations of power which could be either equal or unequal. (Yuval Davis 1999:97).

Keywords

Colombia, trade unions; NGOs; cooperation; violence; alliances; international dynamics; tensions; resources, human rights networks, politics

Chapter 1
Introduction

"….organizations have developed a form of coalition politics in which the boundaries of this coalition should be set not in terms of who we are but in terms of what we want to achieve" (Yuval-Davis 1997:126) .

1.1 Research problem

Violence against trade unionists, rather than being a recent problem has been occurring with a systematic intensity during the last three decades in Colombia. Female and male leaders and base workers from the education, agrarian, energetic, heath, public services, and public sector, among others, have been victims of several kinds of violence which have not only victimized their families, but also affected trade unions activities and claims. According to ENS, from 1986 to 2011, 2.917 female and male unionists were murdered, 5.625 were threatened, 1.796 have been displaced against their will, 663 have been arbitrarily detained, 292 were victims of attacks, 226 have disappeared, 170 were kidnapped, and 90 were tortured (ENS 2012).

In this context, union confederations, labour and human rights NGOs concerned with the problem have been in cooperation to develop stronger networks for defending unionists' rights at a national, but specially, at an international level. As acting in broader scenarios, alliances have been influenced by the logic of international rights defense in the late twentieth century, in which rights based approaches to development, donors' aid, and international human rights networks have played a role (Bebbington et al 2008; Gready and Ensor 2005; Keck and Sikkink 1998).

Cooperation dynamics between unions and NGOs are not fixed, but rather have been constructed and shaped through a process of power relations in which mutual needs, and negotiation over ideal and material resources have taken place. In this manner, this research is aimed to analyze the creation and development of NGOs-unions alliances to counter violence against trade unionists, under the scope of broader logics of international rights defense.

1.2 Motivation for the research

The motivation for this research comes from my work experience with Colombian armed conflict study (For a brief description on Colombian conflict see Appendix 1), and documentation and analysis of violence against trade unionists in the country. During this process, I noticed that national debates around the data on violence and the politics behind the visibility of it tended to make invisible not only the problems of violence and victimization as such, but also the joint work done by unions, NGOs, and public organizations to protect and guarantee unionists' rights. It is this last point which my research is going to address.

This research is focused on the joint work done by unions and NGOs to protect and guarantee unionists' rights in Colombia. Moreover, it aims to demonstrate that alliances between unions and NGOs in countering violence in Colombia have been influenced by the logic of international rights defense in the late twentieth century, in which rights based approaches to development, donors' aid, and international human rights networks have played a role.

Analyzing the joint actions is relevant for four reasons. Firstly, because networking and cooperation between civil society groups have been situated by development agencies, international organizations, and states as key activities for achieving conflict resolution, democracy, human rights and development in developing countries (Gready and Ensor 2005; Bebbington et al 2008). Thus, it is important to bear in mind that civil society relationships are political too, alliances are not fixed, and conversely, they are constructed in specific spaces and times, and may involve relations of power which could be either equal or unequal. (Yuval Davis 1999:97).

Secondly, understanding complexities that foster or hinder alliances might help civil actors and governments identifying the claims, opportunities, risks, and stability of alliances, especially in the Colombian context in which victims' law and violence reduction have put a big responsibility on civil society actors.

Thirdly, by understanding the differences it will be possible to create more democratic politics. Santos, as cited in Escobar (2008), explains this in his theory of translation "as one that propitiates mutual understanding and intelligibility among movements brought together into networks but with world views, life worlds and conceptions that a are often different and odd with each other, if not plainly incommensurable" (Escobar2008: 224).

Finally, this research intends to contribute to the field of conflict studies and social movements, presenting how it is possible to cooperate within difference, in an armed conflict scenario. In addition, it intends to make visible actions developed for almost 30 years by both unions and NGOs as human rights defenders, and by other governmental and international actors, for defending unionists' rights.

1.3 Research questions

How have international dynamics for defending rights influenced union-NGO alliances to counter violence against unionists in Colombia?

Sub questions:
- In trade union-NGO alliances to counter violence against trade unionists in Colombia, which factors foster, or hinder, co-operation?
- Have the alliances among trade union and NGOs resulted in changes to their own organizational characteristics and understandings of violence?

1.4 Methodology

Given that the aim of this research is analyzing NGO-union alliances to counter violence against unionists in Colombia, and that there is not abundant secondary data on the topic, two research methodologies were applied.

In the first place, qualitative semi-structured individual interviews were conducted to directives, and people in charge of Human Rights and Labour Directions of union confederations and NGOs working in both labour and Human Rights in Colombia. Questionnaires for both sub-groups were focused on the identification of the main points of cooperation and conflict between labour unions and NGOs during the last two decades for countering violence against trade unions in Colombia.

From six interviews done, five took place during the 101st International Labour Conference in Geneva (Switzerland), from the 30th of May to the 15 of June of 2012. With the support of the National Union School-ENS, I had the opportunity to interview the National Directive of the Central Confederation of Trade Unions (CUT). In the same manner, it was possible to talk to the Director of the Colombian Commission of Jurists (CCJ), and the Coordinator of Rights Defense Area of the ENS. In addition, the legal representative of the USO – the Oil Industry Workers' Trade Union was also interviewed. Each interview lasted one hour on average (See Appendix 2).

During the months of September and October, it was also possible to hve phone and Skype interviews with the Director of the Human Rights Area of CUT, and the former director of Labour Defence in the CCJ.

After this, secondary sources were reviewed such as institutional documents (organizational history, reports, research, data, donors and financial resources), as well as joint papers elaborated by both NGOs and confederations. Furthermore, bibliographies about social movements in Colombia, national and international trade unions and NGOs, armed conflict, violence against trade unionists, human rights protection, and development aid were also consulted.

In relation to ethical challenges, I faced the situation of having participated as a government consultant in official monitoring and documentation of violence against unionists in Colombia. Thus, even though this role allowed me to have direct contact with the problem, and my interviewees, it also positioned me before them as a former government representative. In addition, it made me consider my biases while writing and analyzing the issue.

In regards to the limits of the research, it could be said that although it is focused on unions and NGOs as broader groups, the chapters about reasons that have fostered or hindered cooperation are based on the specific alliances between the CUT, CCJ and ENS. However, it is important to recognize that these organizations have also worked with other NGOs and trade unions from all levels (confederation, federation and unions).

Another limit is related to the different points of view among members of each organization. This is especially relevant for the analysis of union confederations which may have different understandings that individual union and federations (Spooner 2004: 23). For this reason, it is important to bear in mind

3

that main focus is on the Confederation's perspective, more precisely in CUT representatives' points of view.

Hence, three reasons support the choice of such organizations: 1) the CUT is the largest union confederation in Colombia and has been the one most affected by violence[1]; 2) the ENS and CCJ have both worked for more than 20 years on the defense of workers' human rights (civil and politic, but also economic, social and cultural)(CERAC 2011); and 3) the CUT, ENS and CCJ have a long history of relationships on countering violence against trade unionists[2].

Finally, the research also has the limit of not going deeper on the analysis of violence against unionists as such. It is focused of the construction, development and outcomes of alliances to counter the problem.

1.5 Violence against trade unionists in Colombia 1984-2011

"The great fraud: violence against trade unionists. A story of the conspiracy against the Free Trade Agreement" is the title of the book published by Libardo Botero, member of Foundation First Colombia, directed by the José Obdulio Gaviria, former adviser of Colombian Presidency (2002-2010).

This statement does not necessarily represent the position of the Colombian state in regards to the problem, but it gives an idea of the debates that have taken place in the country during the last ten years. Data, causes and explanations on violence against trade unions in Colombia have been topics of debate amongst the national and international NGOs and unions, academics, the Colombian government, international organizations and the Congress of the United States.

Rather than being recent, violence against workers has occurred since the beginning of the twentieth century[3]. Nevertheless, it has only been possible to measure it since 1984, when organizations such as Centre for Research and Popular Education (CINEP) and National Union (ENS) started to monitor the problem. During the 1990s, other organizations such as the Colombian Commission of Jurists (CCJ), Federation of Colombian Educators (FECODE), and CUT started their own documentation, and later on, by the 2000s, public institutions such as the Ministry of Social Protection and the Presidential Programme on Human Rights began to trace the violence.

Under the scope of the international Instruments of Human Rights Protection, violence has been measured mainly in terms of violations of rights

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[1] Between 1991 and 2011, 2.283 members of CUT were murdered in Colombia, which constitutes the 91% of the total of unionists assassinated in the country in the period (2.515)

[2] This statement is supported in the data gathered during my field work in Geneva, and through Skype and phone interviews.

[3] One of the most violent events against organized workers was a massacre of workers for the United Fruit Company that occurred on December 6, 1928 in the town of Ciénaga near Santa Marta, Colombia.

to life, freedom and integrity, which involves crimes such as homicide, threat, forced displacement, arbitrary detention, attack, forced disappearance, kidnap, and tortures. Nevertheless, it is worth noting that not all organizations have documented the same kind of violations, perhaps because of the concepts they have about violence, organizational goals, and available sources[4].

While NGOs such as CINEP, ENS and CCJ have followed the three kinds of violations for almost three decades; official institutions have measured the homicides committed from 2000 onwards. As illustrated in Figure 1, even though organizations have different data about the problem; from 2000 to 2010 homicides have shown a downward trend.

Table 1.1 Violations to life, freedom and integrity against trade unionists in Colombia, from sources 1986-2011

Violations	ENS*	CINEP**
Threats	5625	902***
Homicides	2917	2977
Forced displacement	1796	N/I
Arbitrarz detention	663	348
Harassment	389	N/I
Attemp or assault with or without injuries	292	198
Forced disappearence	226	146
Kidnapping	170	71
Torture	90	49
Squating	51	N/I
Homicides of unionists	3	N/I
Total general	**12222**	**4691**

Source: Adapted from CINEP (2012); ENS (2012)
*CCJ and ENS have an agreement for presenting the same data (CERAC 2011)
**CINEP information is updated until December 2010
***CINEP considers life threats

As mentioned above, the ENS has documented 2917 murders from 1986 to 2011, CINEP has registered 2977 from 1986 to 2010, and the Presidential Programme on Human Rights has counted 974 victims from 2000 to 2010.

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[4] Due its objective and scope, this research do not covers the debates about data on violence against trade unionists in Colombia. Nevertheless, it is suggested to review the study made by CERAC (2011)

Figure 1.1 Homicides against trade unionists in Colombia 1986-2011
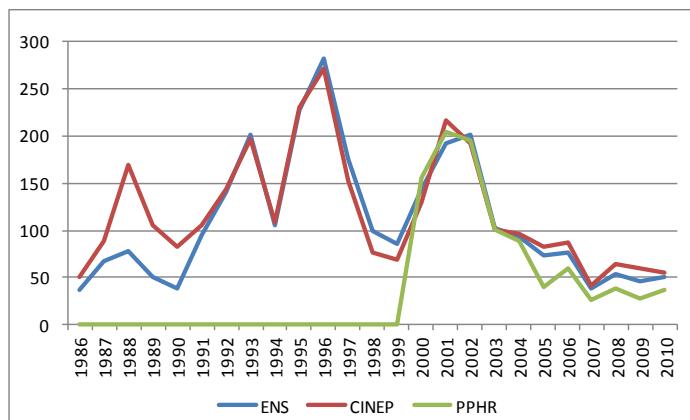
Source: Adapted from CINEP (2012); ENS-SINDERH (2012); Presidential Programme on Human Rights (2012)

From the total of victims of homicide from 1991 to 2011, the ENS has stated that 10% (255) were female, while the other 90% (2260) were males. It is worth mentioning that most of the affected women belonged to the education sector, which has been one of the most impacted by the problem in Colombia.

Violence has been focused on trade unionists affiliated to the education, agriculture, mining, food, territorial institutions, and public sectors (CINEP 2012: 408; ENS 2010: 46; ENS 2012: 17). Moreover, the ENS has stated that homicides have been centered on 15 trade union organizations: Fecode, Sintrainagro, USO, Anthoc, Sintraelecol, Asonal Judicial, Sutimac, Fensuagro, Aseinpec, Sintrainal, Sintraemcali, Sintracontaxtar, Sintramunicipio, Sintraesmdes, and ASPU (See Appendix 3)

In addition, it worth to mention that ENS (2012) and the Presidential Programme on Human Rights (2012) have agreed in stating that during the period, violations have been focused the region of Antioquia, followed by Santander, Valle, Bogotá, Atlántico, Cesar, Arauca, Norte de Santander, Magdalena, Bolívar and Córdoba presented the majority of violations of workers human rights (CINEP, 2012:128) (See Appendix 4).

Explanations given for the problem have been mainly focused on whether or not the violence has been correlated with union and labor rights activities, armed conflict or other kinds of violence not related with trade union activities.

According to Colombian NGOs such as ENS, CCJ and CINEP, violence against unionists is a form of *Social and Political Violence*, that is, violence aiming to "Transform, discipline, destroy, alter or delete unionists sociopolitical and labor claims" (CCJ, ENS 2012: 6). Violence against unionists has not only violated rights to life, integrity and freedom of unionists, but has also weakened their labour rights, and unions as such,. This violence limits peoples' capacity to create, and join trade unions, claim for decent jobs, and look for the improvement of their social and economic aspirations through them (CINEP

6

2012: 403). As for the ENS and CCJ, they have also argued that violence has been systematic, historical, instrumental, and disciplinary (ENS, CCJ 2012: 6)

As for CINEP, they have stated that violence has been an instrument to stop labour struggles. This statement comes from analyzing cases of violence and protests within three sub–periods of Colombian history: 1984-1990, 1991-2001 and 2002-2009. The authors concluded that during the first two sub-periods, unions' protest actions were repressed, and unionists were murdered in order to establish extractive enclaves in banana, palm and cement regions. Violence was also used to block resistance against public policies such as mining codes or civil and social protest in oil regions. With regards to the period 2002-2009, homicides diminished but other kinds of violence such as illegal detentions, threats and attacks increased, especially against unionists from the health and education sector, and those who work for multinational corporations such as Coca Cola, Nestlé and Drummond (CINEP, 2012: 8).

From the perspective of the Presidential Programme on Human Rights, violence has also been related to the dynamics of armed conflict and drug trafficking, in the sense that during the offensive of paramilitary groups and guerrillas for drug trafficking control, trade unions became victims of several accusations and types of violence. For instance, Magdalena Medio and Urabá regions were the most affected places during the decades of 1980 and 1990, when paramilitaries, landlords and guerrillas were fighting to have control over the region. Afterwards the problem shifted to new areas affected by conflict, such as the Caribbean coast and the east and south west of the country where paramilitaries have extended their control. However, it is important to mention that this approach does not deny the fact that union protests could have a correlation with violence; rather it attempts to be complementary (Presidential Program on Human Rights 2011: Introduction).

Although CINEP has shared opinions of the impact of armed conflict on the unionists' situation, they also make an alert call explaining that "The tactics of terror also served powerful economic elites to protect, enhance and consolidate their interests (...) The conflict provides coverage to those seeking to expand and protect economic interests. It is in this context that the union becomes the subject of numerous human rights violations. Security forces and paramilitaries are repeatedly branded as "subversive" and these criticisms are often followed by human rights violations, which often also coincide with periods of labour unrest or negotiations of working conditions" (CINEP, 2011: 9).

From a different perspective, academics such as Mejía and Uribe have proposed to explore if "the claim that union activities (wage agreements and negotiations, strikes, work stoppages, street marches, and so forth) can explain the levels of violence against union members in Colombia". For them, "If this hypothesis is proved wrong, that would suggest that the argument being used to block economic reforms such as FTAs with the United States, Canada, and the European Union is not supported by the available evidence" (Mejía and Uribe, 2009: 119).

To test the hypothesis, they explore homicide data available from different sources which monitor the problem in the country (ENS, Vice Presidency Human Rights Observatory and CUT), and their dynamics over time. In

addition, using regression analysis they test the correlation between unionization rates, wage agreements and pacts, actives acts of protest and homicides. After his exploration, Mejía and Uribe (2009) state that "contrary to the claim used by different NGOs and union members (in Colombia and abroad) there has been a significant decline in violence against unionists during the last nine years". He also argues that there "is no statistical evidence to support that violence is a result of victims' normal union activities. Hence it is not is neither systematic nor targeted" (Mejía and Uribe, 2009: 146).

Finally, some have questioned if unionists have been victims of violence because of belonging to a trade union. For ENS and CCJ, complexities of unionists' roles, multiples scenarios of action and visions, have permitted development of different mechanisms of violence which at the same time have been entwined with other violent scenarios that exist in Colombia (ENS, CCJ 2012: 5). For CINEP, even though unionists are citizens who participate in economic, social, political and cultural scenarios, and violence against them can respond to different motivations, it cannot be denied that unionists have been victims of a focused violence (CINEP, 2011: 9).

1.6 Chapters content

The first chapter of my research is an introduction to my research problem, question, methodology, and context of the problem, The second chapter explore the four guiding concepts and theoretical approaches used in this research: politics, old and new social movement theories, advocacy networking approaches, and human rights based approaches, and development aid.. The third chapter analyzes the formation of alliances between unions and NGOs in Colombia to counter violence against unionists. The fourth and fifth chapter is focused on the factors that have fostered or generated tensions in union-NGOs in the struggle to counter violence against unionists. In the same manner, they present the negotiation of meanings and new outcomes and rights framing stemmed from cooperation. The sixth chapter reflects on the politics of cooperation. And the seventh chapter presents my research conclusions.

Chapter 2
Theoretical Framework

With the aim of analysing the politics of cooperation between unions and NGOs to counter violence against unionists in Colombia, this research is going to be based on four concepts and theoretical approaches: politics, Old and new social movement theories, advocacy networking approaches, and human rights based approaches, and development aid.

2.1 Politics

Understanding the dynamics of cooperation, alliances and conflicts between different groups and organizations requires a definition able to grasp the elements that might have an impact of the logics of the relationship.

Orjuela (2006: 120) and Pearce (1997: 59) have pointed out the conflicting interests within civil society. According to Orjuela (2006: 120), civil society relations imply power relations, given that this is not a monolithic entity, on the contrary it is made up of different groups which express the diversity within society (different histories, purposes and modes of organizing). Thus "It is not a tangible actor or organization, but a space or societal sector where people organize voluntarily to protect or extent their interests and values" (Orjuela, 2006: 120).

Another approach for understanding the dynamics of cooperation has been made from the perspective of development studies. Leftwich (2000) has given an interesting definition of *politics* which takes into account the cooperation, conflict and alliances between different actors. In addition, he includes in his conceptualization the idea of resource mobilization, whether material or ideal, and the participation of several actors and agendas from the national and international life.

For the purposes of this research, I will argue that relationships and activities between NGOs and unions are embedded in *politics*. This means there are activities of "conflict, cooperation and negotiation involved in the use, production and distribution of resources, whether material or ideal, whether local, national or international, or whether in public or private domains" (Leftwich, 2000: 4-5).

It is important to bear in mind that politics (in lower case) is different to Politics (with capital letters). According to Ball (2005:282), since the former makes reference to the allocation of resources, in this case of aid and development, the latter refers to "partisan, promoting particular (self-serving) actors and non-consensual interests and values".

2.2 Old and new social movements

In order to understand the differences between unions and NGOs, and the dynamics that have encouraged them to form alliances I have used social movement theories and network theories.

On one side, Old and New Social Movements approaches help us to understand the origins, differences and common points between the two different groups, which are visible through my research. Unions and NGOs were born in different times responding to particular dynamics, nevertheless the dynamics of globalization, neoliberalism, and armed conflict in Colombia have aligned them towards similar causes, questioning in some cases their identity boundaries, functions and capacities.

Mary Kaldor (2003:80-81) gives some practical definitions about Old and New Social Movements without questioning them in depth. Nevertheless, her proposal is useful to have an idea of movements' characteristics (issues, social composition, forms of composition, forms of organization, forms of action, funding, and relationship to power).

Table 2.1 Old and New Social movements and NGOs think tanks

	Old Social Movements	New social movements -1970 and 1980	NGO's think tanks
Issues	Redistribution, employment, and welfare	Human rights, peace, women, environment, solidarity	Human rights, development, poverty, humanitarianism, conflict resolution
Social Composition	Workers and intellectuals	Students, new informed class, caring professionals	Professionals and experts
Forms of organization	Vertical hierarchical	Loose horizontal coalitions	Ranges from bureaucratic to informal
Forms of action	Petition, demonstration, strike	Use of media, direct action	Service provision, advocacy, expert knowledge
Funding	Membership	Individual supporters	Governments, international institutions. Private foundations
Relation to power	Capturing state power	Changing state society relations	Influencing the above.

Source: Adapted from Kaldor, M. (2003:80-81)

In spite of being considered representatives of the Old and New Social Movements, both labour and NGOs respectively have found several meeting points.

Firstly, Touraine, Melucci, Laclau and Mouffe have claimed that "although the "old" labor social movement upheld class as the primary social cleavage, category of analysis, organizational principle, and political issue, the NSM emerged from the crisis of modernity and struggles over symbolic, informational, resources, rights and points of antagonism (…)such antagonisms have produced new social subjects whose multiple social positions complicate the interpretations of political agency based on a single principle of identity" (Edelman 2001:288). According to Mouffe and Laclau (1985, 1-2), people with universal subjects and conceptually built on history of the singular are now in crisis.

Secondly, some elements of neoliberal globalization have had an impact on networks, and have made "the relationship between the labour movement and other movements not only intertwined but interdependent" (Waterman 2008: 257).

Lastly, both share "Their focus on mobilizing resources to take advantage of contextual opportunities; their strategizing of support across regional and international boundaries, and their almost unavoidable 'branding' in order to gain international moral and financial support" (Alvarez and Hintjens 2009:19).

Differences amongst unions and NGOs are described as well by other theorists such as Braun and Gearhart (2005), and Egels-Zande´n and Hyllman (2011). According to Braun and Gearhart, unions and NGOs have teleological, structural and operational distinctions. The teleological differences consist in the fact that while NGOs are ideal driven, unions are more interest driven. (Egels-Zande´n and Hyllman 2011: 251). The structural difference refers to membership (while unions have members, NGOs usually do not). The point here is also related with the capacity of unions to represent their affiliates before the employer or public authorities (Braun and Gearhart 2005: 209 – 211). Finally, the operational differences are related to the fact that "whereas NGOs need to remain as political outsiders, labor unions wants to be political insiders" (Braun and Gearhart 2005: 209 – 212).

Egels-Zandén and Hyllman have assessed these statements as they consider them to be broad and non-specific. In addition, they have considered identity, governance, and resources as possible elements of conflict between unions and NGOs. The identity dimension looks for the active construction of "us" and "them" between both groups. The governance dimension is related to the legitimacy of one group over the other and efficiency in decision-making, project development and time horizons for developing actions. Finally, the resource dimension refers to the different sources of financing for each type of organization (Egels-Zande´n and Hyllman, 2011: 251).

2.3 Advocacy network approach

The advocacy networks approach developed by Keck and Sikkink (1998), has provide theoretical explanations for understanding alliance dynamics. This approach explains how by the end of the twentieth century, social actors developed multiple relations in national and international scenarios in order to advocate for issues such as human rights, environment, gender, labor,

indigenous, and infant rights. In the case of union-NGO alliances, national and international coalitions, frames and mobilization strategies have had an impact on the visibility of the topic of violence against unions.

Networks (rather than coalitions or movements) "evoke the structured and structuring dimension in the actions of this complex agents, who not only participate in new areas of politics but also shape them (…) They are focused on the complex interactions among actors, on their inter-subjective construction of meaning, and on the negotiation and malleability of identities and interests" (Keck and Sikkink, 1998: 2-3).

Cooperation within networks of such actors is based mostly on two elements: 1) information exchange and 2) mobilizing information strategically to help create new issues and categories and to persuade, pressure, and gain leverage over powerful organizations and governments. In this manner, they look for changes in policy outcomes and also in the terms and nature of the debate. In other words, "they frame issues to make them comprehensible to target audiences, to attract attention and encourage action, and to fit with favorable institutional venues (Keck and Sikkink 1998: 2-3).

Networks are specially embedded in politics of the end of the twentieth century which involve the relation of many non-state actors that interact with each other, with states and international organizations, which do significant work transnationally and domestically. Moreover, in the same manner as McAdam and Tarrow (1996), Keck and Sikkink have given an important role to political opportunities for explaining networks.

2.4 Human rights approaches and development aid

As mentioned above, networks aim to frame issues to make them comprehensible, encourage action, and put some pressure on governments. Furthermore, union-NGO alliances have framed their actions from a Rights Based Approach (RBA).

Human Rights as one of the big ethical discourses can have a great influence on national and international affairs. They can "gradually structure and restructure pre analytical feelings and how they can interact with and influence other factors-by the range of comparisons they can make, by the categories and default cases that they introduce and defend, by the ways they are constitute conceptions of interest and perception of constraints"(Gasper 2007: 5).

According to Miller, rights based approaches (RBA) have become dominant and been promoted since the mid-1990s by a different development actors, which have ranged from intergovernmental organizations, major donors and international NGOs to local grassroots NGOs and social movements (Miller 2010:915). However, in spite of its coverage "the approach has been adopted in a variety of contexts, by a variety of development actors in a variety of fashions" (Miller 2010:917).

In this manner, Miller supports NSM approaches about framings (McAdam et al 1996) which have identified that frames are a "vital tool utilized

by activists for the purpose of transforming the terms and nature of the debate, with the aim of influencing policy outcomes. Frames are "ways of repackaging, interpreting and fashioning ideas, generating shared beliefs in order to appeal to others. Frames constitute an evolving and contested process, involving various social actors from within the social movements" (Miller 2010: 921).

Moreover, in some cases, rights talk has being incorporated strategically through what Millers has called: rights frame approach (RFA). This approach consists of incorporating rights language as a way to "repackage the ideological underpinnings of an organization in order for it to benefit from a number of strategic frame dimensions. Through this, NGOs are able to utilize the power of the idea of universal rights (…) consequently not defining the end of the goals of development, nor the strategic priorities of the organization" (Miller 2010:921-923).

In regards to the recent relationships between rights based approaches and development aid, it could be said that a new debate appeared when Structural Adjustment Programmes (SAPs) were introduced by the end of 1980 (Gready and Ensor, 2005: 30). A first wave of criticisms came from Amartya Sen and institutions such as the ILO and the ICJ. From another perspective, the World Bank launched its campaign for poverty alleviation, meanwhile UNICEF was reinforcing the idea of 'adjustment with a human face', which proposed empowerment and people centered development for overcoming marginalization that had taken place over economic stabilization (Gready and Ensor 2005:30).

In this scenario, civil society was valued for its possibilities for "strengthening democratic institutions, the rule of law, legitimate peaceful opposition, and the expression of dissent in acceptable ways" (Pierce and Howell 2001: 50).

NGOs shifted from been needs-based and service driven to a more strategic approach incorporating rights issues into their work (Gready and Ensor 2005:30). They adopted the language of rights on many levels, which could be appreciated in their participation in the Millenium conferences organized by UN, where NGOs "were influencing and been influenced by donors demands for a broad-based, social justification for project funding, while also communicating and reacting to the concerns of their partner organizations" (Gready and Ensor 2005:30).

To some extent, many NGOs became delivers of and subcontractors in giving humanitarian relieve, assessments, development aid, and uses of human rights talks in a broader way. This situation had complex implications not only in terms of independence, and power relations, but also was a limitation of organizations which wanted to achieve development (Bebbington et al 2008: 13-14; Gready and Ensor 2005:30).

Reflecting on the concepts and approaches mentioned above, this research considered the following variables for the analysis, and the further answer of the research questions.

Table 2.4 Analytical framework

Authors and approaches	Variables to consider
Organizational characteristics (Braun and Gearhart Egels 2005- Zande´n and Hyllman 2011)	Mission and vission
	Issues
	Individuals or communities represented
	Rights defended
	Modes of action
	Accountability
	Resources
Alliances-Networks (Keck and Sikkink 1998 ; Miller 2010;Bebbington et al 2008; Gready and Ensor 2005)	Mobilization Actions
	Rights based approaches
	Development aid

Sources:; Egels-Zande´n and Hyllman, 2011; Braun and Gearhart, 2005; Keck and Sikkink 1998; Miller, 2010. Own elaboration

Chapter 3 **Understanding differences, finding common points**

Reflecting on the differences and similarities between New and Old Social movements, this chapter analyzes the formation of alliances between unions and NGOs in Colombia to counter violence against unionists.

In order to do so, the chapter is divided in three parts. The first part analyzes the context in which first alliances between these two groups were born in Colombia. The second part presents a mapping of the unions and nongovernmental organizations working to counter violence against trade unionists. The third part present some concluding remarks.

3.1 Labour and human rights organizations

Traditionally, trade unions have been characterized as organizations focused on the work place, redistribution, employment and welfare (Kaldor 2004:80-81; Spooner 2004: 19). However, union's goals and activities have not been limited to labour issues, instead they have had a broader range of social and political concerns. Moreover, as argued by Watson in Spooner (2004:19), with democratization processes, neo- liberalization, and globalization, trade unions have been over time more involved in "campaigns on human rights, women's rights, and participation in pro-democracy movements and alliances on the debt issue".

In Colombia, trade unions have encountered a similar path. Initially focused on the improvement of labour rights, workers' movements started to shift towards broader concerns such as the improvements in human rights situations, democracy, and political participation. These were concerns for unionists not only understood as workers, but also as citizens (Archila 2012: 35)

Colombian labour organizations went from being illegal organizations at the beginning of the twentieth century to become political parties' supporters and agents of political change during the 1970s (De la Garza, 2004:5). During these years, four union confederations were formed- CTC, UTC, CSTC and CGT- with different political tendencies[5]. Therefore, the creation and relation between confederations, political parties and the state was strongly related with party politics, which shaped the opportunities for negotiating workers conditions with the state.

Union confederations protested together on several occasions against unemployment and precarious work conditions, regardless of the political dif-

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[5] Confederation of Workers of Colombia - CTC (Confederación de Trabajadores de Colombia) was born in 1936, with the support of Liberal and Communist parties (CTC, 2012: History); the Union of Workers of Colombia –UTC (Unión de Trabajadores de Colombia) was supported by Conservative Party, Catholic Church, and business sectors. The Confederation of Union Workers of Colombia- CSTC (Confederación Sindical de Trabajadores de Colombia) was formed by communist members of CTC whom were expulsed from the Confederation by the Liberal coalition (Medina 1992: 60)

ferences amongst confederations. Perhaps the milestone for the labour movement was the Civil Strike of 1977, given the number of participants, and mostly because of the repressive measures taken afterwards by the government (Medina 1992: 61).

Indeed, in 1978 the President Julio Cesar Turbay approved a policy known as the Security Statute which criminalized social protest, and allowed militaries to retain and judge the civil population, giving space for detentions, tortures, forced disappearances and homicides. In this context, unionists and other social actors were targeted as threats to the status quo and collaborators of the guerrillas (Romero F.A 2001:448).

Thus, by the 1980s Colombian unions were facing three main challenges. Firstly, workers' organizations were fragmented and deeply influenced by traditional political parties, which made it difficult to represent workers before the state. To overcome fragmentation, diverse actors joined together and in 1986 created the Unitary Central of Workers –CUT (Central Unitaria de Trabajadores). The CUT was made up of former members of the UTC and CSTC, independent unions that did not belong to any confederation, and the Colombian Federation of Educators (FECODE) (Medina 1992: 61).

In addition, unions joined the students, indigenous and afro-Colombian social movements, political leaders, and academics in mobilizations, protests and actions to achieve deep reform in Colombian political and economic institutions. These reforms included democratic participation, improvement of social welfare, the inclusion of new rights, and the creation of supervisory institutions. As a result, a new Political Constitution of 1991 was established. , including unions' right to form political parties, and enabled them to create a Permanent Commission for Salaries Bargain in 1995. Within it, five representatives of union confederations could negotiate the minimum wage and other labour concerns with the employers and the government every year (Archila 2012: 20-25).

Secondly, violence against unionists began to increase. In 1988, CUT denounced more than 150 murders of trade unionists before ILO. In addition, it is worth noting that CUT became the confederation representing the biggest number of unionist victims in the country, given that was the most numerous one, and the most affected unions were among its members (such as Sintrainagro, USO, Fecode) (G. Gallón 2012: personal interview).

Thirdly, trade unions not only in Colombia but worldwide, experienced a crisis influenced by the decline of the social state, restructuring of production using new technologies and organizational schemes, labour market transformations, and globalization of economies and corporations (De la Garza 2004: 18-19; Archila 2012: 25).

In sum, until the 1970s union confederations were more focused on labour and workers' issues and closely related to party politics, however after the decade of 1980 and beginning of the 1990s, situations such as the lack of political participation, violence and neoliberal reforms, meant that unions (and especially the CUT) began to mobilize together with other civil society organizations in the country.

16

Furthermore, universal premises that "upheld class as the primary social cleavage, category of analysis, organizational principle" (Edelman, 2001:288) expanded their boundaries to understand *workers* from multiple social positions, such as actors participating in party politics, victims of political regimes and armed conflict, and members of networks and bigger coalitions aiming to push social reforms.

At the same time that unions were experiencing several changes, different types of NGOs concerned with human rights and workers' topics were created. According to Romero, human rights movements have gone through three stages. The first one consisted of the defense of civil and political rights by NGOs. In this context, NGOs put their efforts on documenting violations that could be presented as evidence against impunity. This stage occurred within Security Statute policy approved by liberal President Julio Cesar Turbay in 1978.

The second stage was characterized by new contacts established between NGOs, international human rights NGOs, and UN Human Rights agencies, specially the Inter American System of Human Rights, to create international advocacy networks. Such organizations produced a series of reports and recommendations which advised the government to recognize the problem (Romero, F.A. 2001:448).

The third stage included information recompilation and international awareness building. However, the most important change was the inclusion of the human rights violations issue on the public agenda through the creation of human rights driven institutions, and the participation of NGOs as advisers in such institutions. Some of the new institutions were the Human Rights Commission of the Prosecutor's Office (1986), the Presidential Counseling Office on Human Rights (1986), and the Ombudsman Office (1991). In addition, through Resolution 014 of June 14th 1988, human rights organizations were allowed to participate and give advice to the Prosecutor's office (Romero, F.A, 2001:448).

NGOs stopped being political outsiders and acquired the role of public advisors of the state in matters of human rights violations. For them, the political Constitution gave the national legal framework to claim rights but it was the pressure of international organizations over the Colombian state which gave them certain powers to pressure the compliance of rights. Indeed, the Vienna Declaration in 1993 declared on the importance of NGOs in promoting human rights, and supporting on their duty of protecting rights. Indeed,

> The World Conference on Human Rights recognizes the important role of non-governmental organizations in the promotion of all human rights and in humanitarian activities at national, regional and international levels. The World Conference on Human Rights appreciates their contribution to increasing public awareness of human rights issues, to the conduct of education, training and research in this field, and to the promotion and protection of all human rights and fundamental freedoms. While recognizing that the primary responsibility for standard-setting lies with States, the conference also appreciates the contribution of non-governmental organizations to this process. (UN, 1993: 35).

In sum, by the end of 1980 and the beginning of 1990, Colombia experienced a confluence and overlap of traditional and new social actors working to counter social injustices, violence, and to promote political democratic participation. Union confederations and human rights NGOs became an active part of the social justice movement in the country, developed alliances between them, and at the same time they kept working on their own institutional agendas.

3.2 Unions and NGOs protecting workers' human rights

As stated by Spooner, trade unions from different countries have often participated in human rights concerns and democratization processes (Spooner 2004: 20). Some examples have occurred in countries such as Nigeria, in which both organizations worked together on the democratization process (Remi Aiyede, 2005: 272). Another case can be seen in Fiji Islands, Papua New Guinea were unions faced the challenge to go through measures of stabilization and adjustment; and played a far more role in promoting good governance effectiveness and democracy (Prasad and Snell, 2005: 337).

Additionally, in South Africa, unions from inside and outside the country supported the anti-apartheid campaign. In China, workers from several trade unions, and specially the Beijing Workers' Autonomous Federation, were at the forefront of the democracy campaign in 1989, which finished in the Tiananmen Square massacre (Spooner 2004: 20). Some other cases have happened in Spain, Poland, Hungary, Czechoslovakia, Indonesia, South Africa, Brazil, Korea, Zambia, Zimbabwe, and elsewhere (Spooner 2004: 20).

In regards to alliances of unions and NGOs in violent scenarios, Spooner refers to cases in which NGOs helped unions in organizing and defending their rights against state or para-state repression of trade union organisation. Examples are seen in Korea in the late 1980s, the Philippines under Marcos' regime, and Indonesia to the present day (Spooner 2004: 21)

In Colombia, actors working to counter violence against unionists have been identified by the research as "State of the Art on measuring violence of unionized workers in Colombia and the Balance 1984-2010" (CERAC 2011). Such research is concerned only with those organizations that have measured or monitored the situation in Colombia, and not with other types of activities such as advocacy, training or service provision. Nevertheless it is useful as a first approach to identify non-state actors and actions developed to face the problem.

According to CERAC, between 1984 and 2010 67 organizations wrote 214 reports, documents and research approaching the problem in different perspectives. Those organizations can be divided in international organizations (23 reports), national academy (11), international academy (38), national NGOs (38), international NGOs (99), and state (5) (CERAC 2011: 13). Documents written by union federations and confederations are not mentioned.

From the total number of organizations, six have measured and monitored violence against trade unionists in a systematic and periodic way. These organizations are the National Union School (ENS), the Center for Research and Popular Education (CINEP), the Colombian Commission of Jurists (CCJ), the General Confederation of Workers (CGT), the Federation of Educators of Colombia (Fecode), and the Observatory of Human Rights of the Vice presidency of the Republic of Colombia (CERAC 2011: 13).

This data agrees with the information gathered during the field work done for this research via email, phone and interviews during the 101st International Labour Conference in Geneva, from the 30th of May to the 15 of June of 2012.

According to the interviewees, the following organizations have been working in a systematic, periodic and collaborative way since the 1980s to the present: ENS, CINEP, CCJ, as well as union confederations such CUT, CGT, and the Confederation of Workers of Colombia CTC. The interviewees have also mentioned NGOs such as the José Alvear Restrepo Lawyers Collective and the Committee of Solidarity with Political Prisoners (CSPP); and union organizations such as the FECODE, USO, ADIDA, Sintrainagro, among others.

In addition, from 2007 onwards the number of organizations studying and providing on the topic has increased. An example can be seen within the Project "Violence against trade union members" coordinated by the UNDP between 2009-2011, and financed by the embassies of Canada, Spain, United States, France, Britain, Norway, the Netherlands and Sweden. Such studies had inputs from NGOs and think thanks that do not usually work on labour issues. Some of them are the Ideas for Peace Foundation — FIP, Conflict Analysis Resource Center -CERAC, New Rainbow Corporation, and the University Externado of Colombia, which were relatively new to the topic. Another example can be seen in the participation of CODHES in joint research with the CUT[6].

3.3 Concluding remarks

Unions and NGOs are different kinds of organizations which can be distinguished not only by their history and roots as Old and New Social Movements, but also by their organizational differences (objectives, interests, membership and individuals represented, organizational structure) (Braun and Gearhart 2005; Egels-Zande´n and Hyllman 2011).

Nevertheless, they have common points such as their aim to improve Colombian conditions in terms of democracy, political participation, working conditions, and looking for negotiated solutions to armed conflict. In addition, common interests were evident when unions expanded their boundaries to understand *workers* from multiple social positions, such as actors participating in

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[6] Information about UNDP project can be found in UNDP Colombia website. http://www.pnud.org.co/sitio.shtml?x=66637

party politics, victims of political violence, and armed conflict, and members of networks and bigger coalitions aiming to push for social reforms.

The following chapters 4 and 5 are aimed to analyze the factors that have fostered cooperation between unions and NGOs, within international human rights networks and donors aid for rights and development. In addition, they are aimed at explaining that involvement of unions and NGOS in broader human rights networks has had impacts in own organizational interpretations, and definitions of violence against trade unionists.

Chapter 4 **An specific case of cooperation: CUT, ENS and CCJ**

> If it wouldn't have been for NGOs, violence against unionists in Colombia would not be known in the world. They have provided a stage to make the topic visible". CUT President, 2012

Reflecting on the notion of human rights networks developed by Keck and Sikkink (1998) the following chapter aims to analyze the factors that have joined together unions and NGOs in the struggle to counter violence against unionists. The main hypothesis is that unions have encountered with NGOs the expertise, knowledge and tools for getting involved in broader international and national human rights networks. During the process, NGOs have had a big influence on the terms in which violence against unionists has been treated, framed and advocated against.

With the aim of approaching dynamics of cooperation, three of the abovementioned organizations are going to be analyzed in depth: ENS, CCJ (NGOs) and CUT (Union Confederation). These organizations have been working on countering violence against unionists since 1980 to the present, sometimes in an individual way, sometimes developing joint strategies.

This chapter is divided into three parts. The first presents the scenario in which CUT, CCJ and ENS formed a thematic advocacy alliance. The second part presents the tactics and strategies developed by the CUT, ENS and CCJ for making the problem of violence against trade unionists visible and accountable through national and international human rights networks. The third part presents some concluding remarks.

4.1 CUT situation and the need to overcome violence

The defence of workers' rights from both Colombian unions and NGOs was traditionally focused on different sets of rights. Whereas unions have had a focus on human rights issues, "given that the limitations to rights' to freedom of association, to strike, and trade union recognition are violation of fundamental rights"(Spooner 2004:21); several Colombian NGOs have developed expertise defending rights affected by the long lasting political violence in the country.

As mentioned above, the CUT was born initially to represent workers' interests, represent them before the state as a unit, and promote democracy and political participation. From its foundation it has been considered a third grade union, unitary, class based, democratic, and progressive organization, which by the time of its foundation had 45 affiliated federations and approximately 600 base unions, which represented 80% of all the unions in Colombia (CUT Statutes 2006; Pegler 2007: 39).

CUT's initial human rights area was created during the Confederation's 3rd Congress, understanding "respect for human rights, ethnic and sexual di-

versity as part of social movement's struggles for a model of democratic development" (Tovar 2012, personal interview). However, the work of the area began to be more focused on fundamental rights to life, integrity and freedom as a response to the lack of effectiveness of the governments' protection programmes and measures to capture and punish those responsible for crimes. (Vanegas 2012, phone interview).

Perhaps the straw that broke the camel's back were the frequent threats against Jorge Ortega, CUT's Director of the Human Rights Office, and other union leaders, which were not attended to by authorities in time in spite of the fact that he was a member of the two public institutions in charge of unionists' rights protection (Committee for Risk Assessment of the Protection Program on Human Rights Defenders and Social Leaders of the Ministry of Interior, and member of the Inter institutional Commission on Workers' Rights). On the 20th of October of 1998, Jorge Ortega was assassinated in Bogotá (USO 2012).

As shown in the table 4.1, from 1991 to 1998 when Ortega was murdered, CUT were victims of the 93% (1237 victims) homicides against unionists in the country (1327 victims). Therefore, the problem became a priority in the CUT's agenda (Vanegas 2012, phone interview). According to Malagón, "it was almost a matter of life or death, the organization had to take measures to overcome the crisis" (Malagón 2012, Skype interview).

Table 4.1 Homicides of trade unionists in Colombia by confederation and year

1991-2011

Sex	CUT	CGT	NO CONFEDE	CTC	No information	Total
Year	N° Cases	N° Cases	N° Cases	N° Cases	N° Cases	N° Cases
1991	93				2	95
1992	133	2	2	1	3	141
1993	200		1			201
1994	98	5	1		1	105
1995	218	7	2		1	228
1996	264	15	3			282
1997	157	9	8	1		175
1998	74	16	8	1	1	100
1999	70	8	7			85
2000	127	5	10		1	143
2001	179	10	3		1	193
2002	175	22	2	1	1	201
2003	95	6	1		1	103
2004	89	5				94
2005	69	3	1			73
2006	64	7	2	1	3	77
2007	31	5		1	2	39
2008	39	9	2		3	53
2009	38	4	3		1	46
2010	45	4	1		1	51
2011	25	2	3			30
Total	2283	144	60	6	22	2515

Source: National Union School-ENS

In this context, they strengthened their alliances to make the most of NGOs' expertise on defending civil and political rights (Malagón 2012, Skype interview).In the same manner that in countries like Korea, The Philippines, Indonesia, or South Africa, where trade unions have historically been affected by state and armed groups repression and violence, Colombian NGOs provided "the basis for organising and defending workers" (Spooner 2004:21).

## 4.2 Countering violence from a right based approach

Since the decade of 1980s NGOs have been embedded in rights based approaches and development discourses (Gready and Ensor 2005:21), and have received support from the UN system, to advise other organizations, states and international organizations on the improvement on human rights (UN, 1993: 35). Moreover, they have been an active part of what Keck and Sikkink (1998: 16,80) have called human rights networks.

According to Keck and Sikkink (1998: 16;80), networks have been focused on strategic information exchange and mobilization to help create new issues and categories, which can persuade, pressure, and gain leverage over more powerful organizations and governments. For achieving this, networks use tactics such as information, and leverage and accountability politics (Keck and Sikkink 1998: 16)

Thus, the main role of NGOs in union-NGO alliances has consisted in giving the basis, and opening channels for making the problem of violence against trade unionists visible and accountable through human rights networks. As noted by Romero (2001:448-457), Colombian NGOs have interacted from their beginnings with international organizations, and the UN System, for debating the situation on human rights.

The ENS and the CCJ, as part of international human rights networks (Keck and Sikkink 1998: 16;80), have supported and worked together with the CUT using their expertise in activities such as monitoring, research, and advice and training (Gasper 2007:10).

Figure 4.1. Joint actions by the ENS, CCJ and CUT to counter violence against trade unions in Colombia 1984-2011.
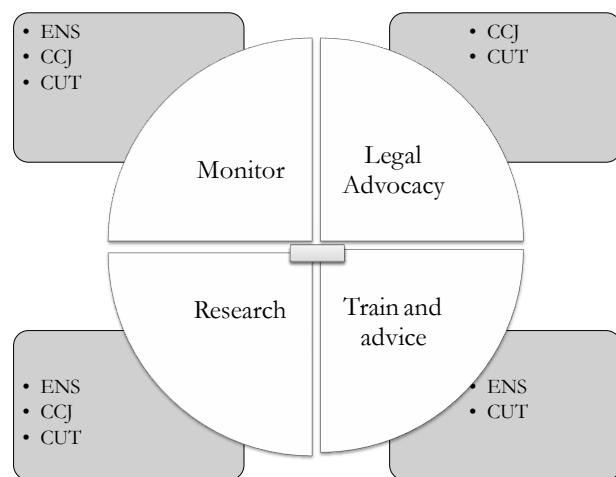
Source: Data gathered in field work done for this research via email, phone and interviews conducted the 101st International Labour Conference in Geneva. Own elaboration

Figure 4.1 shows the interaction between organizations and their activities. It is worth noting that not every organization participates in the same way in each activity, as will be explained in the forthcoming paragraphs. In addition, it is important to tell that cooperation in those areas is changing and dynamic on time and space, especially because networks are characterized for being voluntary, reciprocal, and horizontal ways of communication and exchange (Keck and Sikkink 1998: 8)

In terms of monitoring, two activities have been developed. Firstly, the ENS, CCJ and CUT have shared information for updating and improving their own databases on violations to workers' rights affected by violence. For updating and analyzing cases, the three organizations support each other by sharing and mobilizing information, and contrasting cases and testimonies about crimes Sánchez 2012, personal interview).

Secondly, the ENS has trained CUT's federations and union members about violence documentation, using as a frame the human rights instruments, through the distribution of a methodological tool developed by the organization (Sánchez 2012, personal interview).

Even though CUT has seen in the alliance with the ENS an opportunity for improving information mobilization in an international human rights network, and creating capacities for holding rights, the ENS has also recognized the benefits that labour movement offers in terms of mobilizing information from all over the country. As stated by Sánchez:

> Unlike other movements, the union movement is privileged and more powerful because it has been organized for many years, in a democratic way, and is spread all over the country. Within that network they can help us not only to find information on cases, but they also to have contacts with the victims. This form of organization gives much more responsiveness than other social movements and sources for research (Sánchez 2012, personal interview).

It is worth noting that the three organizations have data systems for monitoring cases of violence. ENS has a System for Monitoring Human Rights (SINDERH), which is one of the components of a broader Information System on Labour and Unionism (SISLAB). SINDERH has information from 1986 to the present. In it, violations of unionists' rights to life, freedom, and integrity are monitored (CERAC 2011: 23). In addition, the CCJ has a database of socio-political violence aimed at keeping a diary and permanent record on human rights violations and breaches IHL occurred against unions and all social actors that, from CCJ's perspective, "have been systematically victimized from July 1996 to December 2008"(CERAC 2011: 23).

Moreover, the CCJ created a database to monitor cases of crimes against unionists reported by the Attorney's General Office, with information than begins in 2001, and sentences and decisions made by the Attorney's General Office and judges for crimes against trade unionists (Malagón 2012; Skype interview)

With regards to legal advocacy, the CUT and CCJ have seen the possibility of strategically treating key cases before in international organizations of human rights protection such as IACHR and ILO, in order to generate precedents and jurisprudence for acting on a national level (Malagón 2012, Skype interview: Tovar 2012: personal interview; Romero F 2001:459).

According to Malagón, in a joint agreement with particular unions and the labour movement, they have chosen key cases like the USO one in order to make visible some issues such as basic public services and strikes, both of them understood as workers' rights. In addition, cases against freedom of association, such as those occurred against USO, Telecom, and the female cleaning workers in Bogota, have been also taken to this institutions in a collective way (Malagón 2012, Skype interview).

In addition, the CCJ has also treated individual cases before the IACHR. For instance, it has taken the case of Luis Fernando Velez, former president of the Association or Educators of Antioquia- ADIDA, that was in impunity

since he was murdered in 1987 while being president of the union (Malagón 2012, phone interview).

Advocacy activities have been intertwined with advisory activities, especially in union confederations' work at the ILO. Both the ENS and CCJ have supported the CUT in the process of framing, and creating new categories aimed at generating an impact in the Colombian state's approach to the problem of violence. Nevertheless, this collaboration has not materialized in formal agreements, and NGOs do not have a seat within the ILO's tripartite organization (Gallón 2012, personal interview; Sánchez 2012, personal interview; Tovar 2012, personal interview).

In relation to research, the ENS has approached the violence against unions through two types of documents: the Notebooks of Human Rights (which usually make visible and analyze violations to rights to life, freedom and integrity of workers); and research projects which are "aimed to humanize victims with qualitative information to dynamics visible and to reconstruct the memory" (CERAC 2011: 23). For developing these projects, they usually cooperate with the CCJ and CUT, but whereas links with the NGO are more related with co-producing, the CUT is more of a source.

Lastly, CUT, CCJ and ENS have worked to promote changes in agendas, pressure for new commitments from the government which could be translated into policies towards the improvement of unionists' rights and freedoms. This job has consisted in making the problem visible within human rights' international organizations, and furthermore to influence national politics (Malagón 2012; Skype interview).

For instance, from 2000 to 2002, the CCJ, ENS and unions worked on a campaign for requesting the ILO's Committee of Inquiry to install a Permanent Representative of the organization in Colombia. Nevertheless, this did not have enough political support from the ILO (Malagón 2012: skype interview).

4.3 Concluding remarks

In conclusion, CUT have seen in ENS and CCJ expertise, the knowledge and tools for getting involved in broader international and national human rights networks to make visible the problem of violence against trade unionists, and the state accountable for it. During the process, they have integrated their focus from labour rights to a broader set of rights which include rights to life, freedom, and integrity.

In addition, the production of knowledge and documentation made by ENS and CCJ have produced two outcomes. On one side, it has ensured that information about violations of unionists' rights has reached international human rights networks, and national institutions. But on the other side, the power and legitimacy that knowledge and human rights' networks, and even the same unionists, have given to NGOs, has threatened unions' confederation feeling of representation of the working class.

Chapter 5 **Support of international aid networks**

As mentioned in the previous chapters, the development of tactics for mobilizing, framing and advocating for unionists' rights affected by violence has been possible due the fact that human rights discourses have the ethical and political support of powerful actors. However, financial support provided by international organizations, states and donors, has allowed for these campaigns to be sustained over time.

As argued by Gready and Ensor (2005:30) and Bebbington et al (2008: 13-14), since the decade of 1990s there has been an increasing interest in funding NGOs and human rights issues within the development agenda. Since violence against unionists was framed as violations to rights to life, freedom and integrity, and labour and unions' rights, financing activities focused on the problem found on the ground. Thus, taking into account that NGOs are not financially independent, must compete for resources and have the need to advertise their activities (Egels-Zande´n and Hyllman, 2011: 257).

The following chapter is going to be divided in three parts. The first part is aimed to study funding from the European Unions and European NGOs to NGOs working on the problem. The second part analyzes resources received from the Trade Union Co - Financing Program from the government of the Netherlands. The third part provides some concluding remarks.

5.1 Human rights approaches and the European donor agenda

By the end of the 1990s and the 2000s, human rights violations and IHL infractions in Colombia gained more visibility within the international community. Such visibility was possibly related with two dynamics. Firstly, the increase in human rights violations stemmed from the strengthening of paramilitary groups, and guerrillas and their disputes over strategic territories, as well as the failure of the peace process between the government and FARC guerrillas during the government of Andrés Pastrana (1998-2002).

According to the Presidential Programme on Human Rights (2012), from 1998 to 2002 homicides increased from 23.087 to 28.778 victims, respectively, which means an increase of 24%; forced displacement augmented from 122.041 to 460.865 victims, having an increase of 278%. Moreover, the number of victims of land mines rose by 1667% going from 18 to 318.

Secondly, due to the fact that international organizations were paying more attention to right based approaches to development, and furthermore willing to finance human rights improvements, conflict resolution, political participation, and alternative development.

The European Union, for instance, has favored aid and cooperation in non-EU countries through the European Instrument for Democracy and Human Rights (EIDHR) which replaces and builds upon the European Initiative 2000-2006. For the period 2007-2013, the EIDHR has a budget of €1.104 bil-

lion for assistance that may take the following forms: projects and pro-grammes, grants to finance projects submitted by civil society and/or interna-tional/intergovernmental organizations, small grants to human rights defend-ers, grants to support operating costs of the Office of the UN High Commissioner for Human Rights and the European Inter-University Centre for Human Rights and Democratization (EIUC), human and material re-sources for EU election observation missions, and public contracts (EIDHR n.d).

Between 2006 and 2012, UE has supported projects promoted by the abovementioned ENS and CCJ, focused on countering violence against union-ists and improving workers and labour rights. In 2007, the EU financed a doc-ument named "2.015 or such a mean capacity to forget. Twenty one years of systematic and selective assassination of trade unionists in Colombia (1989-2006)" produced by the ENS, with the support of the CUT and the human rights Platform Colombia-Europa-Estados Unidos.

Moreover, in 2009 the CCJ received funding for a 36 month project focused on the "Promotion and protection of freedom of association and rights fundamental labor and workers in Colombia". These resources allowed CCJ to document the legal processes conducted by Colombian authorities in regards to violence against trade unionists. In other words, funding permitted to continue the previous activities developed by the CCJ to collect, understand, and analyze the judicial cases for crimes against unionists (Malagón 2012: skype interview).

Nonetheless, according to Biekart (2008:72) Latin American countries fear to be affected by new dynamics of donor cooperation and the economic crisis, especially NGOs and other civil society organizations which used to be the main recipients of international aid during the decade of 1990's. New agendas seem to be focused on African instead of Latin American countries, and give more attention to topics such as "migration, decentralization, remit-tances, local development, increase in youth criminality, among others have changed a previous context in which democracy, human rights and inequality were the main topics" (Biekart 2008:71).

However, cooperation from UE in Colombia remained relatively stable between 1995 and 2004. At least this is true for funding coming from Europe-an NGOs, as shown in a mapping project focused on Europe-Latin America collaboration. According to the study, from 18 European NGOs whom partic-ipated in the exercise, an average of 13,3 (74%) have supported Colombia along a decade (Biekart 2005: 2), and with Bolivia and Guatemala, the country has replaced former favorite recipient countries such as Perú, Nicaragua and El Salvador. In these countries, aid has been focused in land issues, trade, produc-tive projects, food security, and conflict resolution in the Colombia case (Bie-kart 2005: 30).

For the cases of European NGOs supporting projects developed by those organizations, it is worth to mention that from the total of 18 NGOs participating in the study, Misereor and Diakonia have contributed to ENS be-tween 1998 and 2003 (Pegler et al 2007:26). Funding from both Misereor and Diakonia decreased from one period to the other. Misereor has been the se-cond international contributor for ENS' three year plans, representing the 13% in the first three years, and the 12% in the second period, which represent a

decrease in 7% between both years. Diakonia represented the 4% in the first period, whereas in the second one stopped its contributions, which means a diminution of 100%.

Table5.1 International contribution to the ENS three-year plans 1998-2000 and 2001-2003 (in USD)

Agency	1998-2000	2001-2003
FNV Mondiaal (The Netherlands)	665,876 (52%)	778,872 (60%)
Misereor (German Catholic Church)	169,641 (13%)	158,000 (12%)
Sask (Finland)	220,195 (17%)	130,411 (10%)
Solidarité Socialist (Belgium)	107,261(8%)	88,376 (5%)
Iscod AECI (UGT Spain)	43,126 (3%)	163,703 (13%)
CLC (Canada)	30,949 (2%)	62,239 (5%)
Diakonia (Swedish Luteran Church)	53,112 (4%)	
AFL-CIO (US)		60,750 (5%)
Total	1,290,161	1,442,351

Source: Pegler et al. (2007: 26)

However, as shown in the table 5.1, NGOs such as ISCOD AECI (Spain), CLC (Canada) and AFL-CIO (USA), which are not in the abovementioned study, have increased their contributions to ENS in 280%, 101%, and 100%, respectively, from one period to the other. In this manner, in spite of the fact that the table shows a general downward trend in cooperation, the increase of the support from Spain and two non-European counties have raised the total international contribution of ENS.

5.2 Freedom of association and the Trade Union Co-Financing Programme

Union-NGOs alliances for countering violence have also included international unions confederations and labour NGOs. Thus, in the same manner that rights to life, freedom, have found and international support in EU policies, projects to promote right to freedom of association had supporters as well. However, this financing has been more focused on ENS and CUT than CCJ, given their main focus on labour rights.

For many years, the main ENS contributor has been the Trade Union Co-Financing Programme (VMP), sponsored by the Ministry of Foreign Affairs of the Netherlands, and more precisely from FNV Mondiaal (FNV). FNV has established Colombia as a Programme Country given its "high level of union and human rights abuse in the country, and the structural and representativeness weaknesses of Colombian union federations" (Pegler et al 2007:26)

For the plan of action 2009-2012, lines of action for the Programme were jointly formulated by ENS and other actors. Those lines included to contribute to Decent Work Agenda by promoting socioeconomic policies that guarantee decent work, with emphasis on social security and eradicating child labour and discrimination; freedom of association and practice of labour rights;

and the formulation of a roadmap to unify the three confederations, etc (DCP 2012: 18)

In this manner, ENS relations with its main contributor has not only consisted in being an aid recipient, but has also helped to define FNV plans of action. Thus, as stated by Gready and Ensor (2005:30), "NGOs have influenced and been influenced by donors demands for a broad-based, social justification for project funding, while also communicating and reacting to the concerns of their partner organizations".

As shown in table 5.1 from 1998 to 2003 FNV provided more that the half of ENS financing resources. From 1998 to 2000 its funding constituted the 52% of the total contributions received by ENS, whereas from 2001 to 2003 they provided 60% of the total (Pegler et al 2007:26). For the period 2008 to 2012, FNV support to Colombia increased in 25%, going from 591, 531 to 786,964 Euros, to be distributed among Colombian partners including ENS and CUT (CDP 2012: Annex E).

The partial dependency of ENS to FNV resources could possibly lead to conditioning ENS agenda to the Dutch federation priorities. However, as mentioned above, they have had the possibility of participating in the programme definition, which may imply an agreement with ENS of the proposed goals.

In regards to the mechanisms in which FNV has contributed to union-NGOs alliances to counter violence it could be mentioned they have promoted networked action, and capacity building for improving labour rights. As for networked action, VMP report (2012) states that one of FNV Programme goals has been to get together unions, confederations and NGOs active in labour related matter, in order to build a vision based on common interest. In regards to capacity building and information and education, FNV has recognized the difficulties to measure such impacts but has recognized "ENS statistics as widely acknowledged and used in all sectors in society" (Pegler et al: 2007: 32).

In addition, FNV have provided funding for ENS projects for researching about on violence against unionist in Colombia. Continuing with the series of Notebooks of Human Rights, the FNV, Misereor and EU financed the joint ENS-CCJ publication named "Impunity and the Violation of the Human Rights of Trade Unionists in Colombia 2009-2010 and 2002-2010"(ENS,CCJ 2010).

As for CUT financing, it has also been supported by FNV for supporting projects focused on capacity strengthening, increase of organization membership, organizational restructuring and modernization of the union center, and information and training (Pegler et al: 2007: 40-41).

Dialogues between FNV and CUT started in 2001 even though VMP members expressed their doubts on the collaboration due "the non-transparent and politicized relations that historically characterized CUT" (Pegler et al: 2007: 40-41). By 2004, and with a new executive board of CUT which was more in the same line of FNV, the financial aid started to take place. When this project came to its end, FNV decided to continue with the project because its

evaluation proved to be successful. According to the VMP Country Study Colombia,

> During its Fifth Congress in 2006, the CUT adopted various resolutions that were essential for its development in the near future. The CUT chose to affiliate to the ITUC (before then, the CUT had been non affiliated due to internal differences) and to continue the process of sectors' reorganization. Both resolutions were a confirmation of the process supported by FNV Mondiaal (directly and through ENS) and the 2006 Congress thus proved essential to CUT-FNV Mondial Relations" (Pegler et al: 2007: 40-41)

It is important to bear in mind that in previous years, FVN had promoted CUT's modernization and democratization with ENS support. Given that FNV has been one of the main contributors of ENS, relations with the former showing results in CUT's development and FNV expected outcomes is of great importance of ENS economical funding.

In the same manner, contributions from FNV to CUT are related to its relationship with ENS, but with the difference that CUT receives from FNV a smaller amount of money that ENS. Even though CUT has expressed financial difficulties due the reduction of unionization and charging members fees, they are still financially independent. In this manner, CUT could be, to some extent, more independent from foreign aid and cooperation that ENS.

Funding from FNV Mondiaal to CUT during the period 2001-2006 was of 46,117 euros. This amount was invested in two projects co financed with LO Norway, TCO Sweeden, and SASK Finland. For the period 2006-2008 the budget was of 57.785 euros. In addition, the FNV gave technical support through its Latin American consultant (Pegler et al: 2007: 40-41).

Furthermore, representatives of CUT took part in a lobby trip through Europe, financed by FNV Mondiaal and CNV International with the purpose of raising awareness about the Colombian union rights situation. According to VMP Study, this tour had an influence in the opening of an ILO Office in Bogotá (Pegler et al: 2007: 40-41).

5.3 Concluding remarks

In general terms, it could be stated that funding given to CCJ and ENS by the EU and FNV Mondiaal have had as an objective to improve labour rights, strengthen the labour unions, encourage networking, and work on capacity building. Within these objectives, the problem of violence against unionists has had a stage given that it has been argued that violations to workers' rights hinder the exercise of all unionists rights.

As general remarks, it could be said that aid given by EU has been more focused on improving freedom of association and fundamental labor rights, with workers in Colombia, namely CCJ and ENS as the main recipients. Under this scope the EU has financed the publication of the series of Hand Books on Human Rights produced by ENS, some of them in a joint work with the CCJ, in which violations to rights to life, freedom and integrity are docu-

mented and analyzed. Recently, the UE has supported the CCJ's building of a data base on sentences for crimes against trade unionists7.

In the case of FNV contributions to ENS, it is less clear how resources are used for countering the problem. In spite of the above, it is evident that more than 50% of ENS budget comes from the Dutch federation, and as a result ENS could be partially dependent of FNV agenda. This agenda has encouraged cooperation within the labour movement, especially in ENS support to CUT, and capacity building. Hence, ENS has an incentive to develop alliances with CUT. In addition, it is worth mentioning that FNV has preferred to allocate more resources in the labour NGO that in CUT (at least during 2001 to 2004) given that ENS has proven the capacity to achieve its goals, and donors had doubts on CUT transparency. Nonetheless, from 2004 and moreover 2006 (CUT's fifth conference), FNV perspective on the confederation has changed.

Finally, as for the stability of the resources for working to counter violence, it could be that EU resources for CCJ were likely to finish in the present year. In the case of FNV, funding to ENS has continued until 2012.

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7 Publications funded by EU are available in ENS website:
http://www.ens.org.co/index.shtml?s=e&m=c&als[MENU____]=Publicaciones&v=003&cmd[22]=c-1-003-c-2-Publicaciones

Chapter 6 **The politics of cooperation**

The previous chapters have considered elements that have encouraged the alliances between unions and NGOs to counter the problem of violence. This chapter is aimed to analyze those findings under the scope of the theoretical approaches proposed in chapter 2. Moreover, it has a transversal analysis from the abovementioned notion of politics developed by Leftwich, which allows to reflect on the negotiations and tensions over during the cooperation process.

The chapter is divided in three parts. The first one reflects the organizational differences between the CUT and the CCJ and ENS. The second part is focused on analyzing the factors that have fostered cooperation. Finally, the third one reflects on the tensions and negotiations in cooperation.

6.1 How different organizations are

This research paper began by stating that union and NGOs are different kinds of organizations which can be distinguished not only by its history and roots (as Old or New Social Movement), but also by its organizational differences (objectives, interests, membership and individuals represented, organizational structure, accountability, resources, and legal frames which orient their actions (Braun and Gearhart 2005; Egels-Zande´n and Hyllman 2011).

During the study, it was possible to identify that both set of groups (CUT as representative of unions, and CCJ and ENS of NGOs), can be identified with the broader set of characteristics of the old a new social movements proposed by Kaldor (2003,80-81) and with the organizational differences proposed by the abovementioned authors.

Table 6.1 Organizational differences between ENS, CCJ and CUT

	NGO		Union Confederation
Variables	**ENS**	**CCJ**	**CUT**
Year of creation	1982	1988	1987
Type of organization	Labour NGO	NGO consultive status in United Nations, affiliate of the International Commission of Jurists and Andean Commission of Jurists.	Third grade union organization
Principles	Pluralist, no party affiliated, autonomous	Pluralist, non confesional and non political party member.	Unitary, class based, democratic, and progresist.
Objectives	Promote Social Democratic State, Human Rights and IHL. Support political solution to the Colombia armed conflict and social dialoge, concertation and collective bargaining ; promote democratization of knowledge and information technologies, and national and international solidarity among the world social movements.	Promotes Social Democratic State, Human Rights and IHL. Supports political solution to the Colombia armed conflict and peace based on human rights and right to truth, reparation, justice and land restitution and redistribution; contributes developing and strengthening of International System for Human Rights protection.	Promote development and participative democracy for all workers without distinctions; intervene on behalf of the member organizations in the study and resolution of problems related to work (decent and fair remunaration); work towars an organic unity in a National Central by branches and economic activity; stablish relations for joinlty work with other civil organizations.
Represented groups	Acts to favour trade unions but do not represents them	Acts in favour of human rights violations victims. Do not represents them	Represent Confederation members before the State
Membership	No	No	Yes
Activities	Investigate, teach, promote and advice in order to contribute for workers to understand themselves as citizens and actors of ddemocratic processes.	Colect and analyze information on human rights violations and IHL; national and international legal actions to advocate and promote awareness and adoption of behaviors and decisions favorable to the respect for and HR and IHL.	Represent Confederation members before the State, mediate between employees and employers
Legal frames whic orient their actions	National Constitution, Human Rights, IHL and ILO Conventions	National Constitution, Human Rights and IHL	National Constitution and ILO Conventions
Organizational structure	General Assembly choose Directives	General Assembly choose Directives	Democratic election of representatives
Accountability	Transparency and efficiency	Transparency and efficiency	Statutes determine accountability meassures.
Funding	ISCOD; FNV; Solidaridad Socialista; Congreso Laboral Canadiense; Organización Alemana Episcopal de Cooperación al Desarrollo-MISEREORDGBSASKAFL-CIO	Comisión Europea de Desarrollo y Cooperación, Delegación de la Union Europea Colombia, Ford Foundation, AECID, Borederlijk Denle, Reino de los Paises Bajos, Oxfam, Canada, Real Embajada de Noruega, Diakonia, American Jewish World Service, Trocaire, Victimas y derechos, Misereor	To join the Confederation, union organizations must pay a fee. In addition, as a regular contribution to the Central, affiliated organizations have to pay monthly to the Central five percent (5%) of their total fee income of its affiliates or ordinary workers who without being members, benefit from the collective agreement.

Sources: Source: Data gathered in field work done for this research via email, phone and interviews conducted the 101st International Labour Conference in Geneva. Own elaboration ; Braun and Gearhart 2005; Egels-Zande´n and Hyllman 2011. Own elaboration

As shown in the table 6.1, in one side, CCJ and ENS have in common their identification as autonomous and no political party supporters organizations, their focus on improving labour and human rights, the fact of not having members affiliated to the organization, been accountable in terms of transparency and efficiency, and been financed mainly by international NGOs and co-

34

operation agencies. In addition, CCJ and ENS also have their differences. Nevertheless, while ENS is more labour and research centred, the CCJ is mainly a legal human rights NGO. On the other side, CUT has members which make union representatives accountable and pay fees to finance the organization. However, unions and NGOs have shared the common objective of working towards democracy, human rights, and workers issues.

6.2 Why cooperate?

Besides their concerns on "improving human condition" (Spooner 2004:19), cooperation between unions and NGOs to counter violence has been encouraged by mutual needs of unions and NGOs for getting the most of the other's. Particularly, exchange has been focused on three of the organizational characteristics mentioned on Chapter 2 (Table 2.4). This characteristics are: rights, modes of action, and financial resources (Braun and Gearhart 2005; Egels-Zande´n and Hyllman 2011).

In the context of violence against unionists (Archila 2012; CERAC; ENS,CCJ 2010; ENS,CCJ 2012) unions were concern on including measures to defend rights to life, freedom and integrity of their members in their agendas, in addition to their previous focus in democratization and of labour rights. Getting involved in a new set of rights also meant considering new modes of action, and allies, capable of, as stated by Keck and Sikkink (1998: 12-13), "bypassing the state and directly search out international allies to try to bring pressure on their states from outside".

In this scenario, NGOs as key actors of international human rights networks (Kaldor 2003: 80-81; Keck and Sikkink 1998: 12-13), became strategic allies given that they had the knowledge in protecting rights to life, freedom, and integrity within the UN system, and experience in producing and organizing information in terms of human rights, which could be mobilized strategically through human rights networks. As noticed by the President of CUT:

> NGO's have very good knowledge about the UN system, and have developed and international network on Human Rights' highly valuated by CUT (Tovar 2012, personal interview)

In addition to the arguments on rights and modes of action, it is worth mentioning economic resources as a key factor as well. As stated by Egels-Zande´n and Hyllman, (2011: 257), NGOs are not financially independent, do not have members and have to compete for financial resources and advertise their activities. For this reason, in a context in which donors are more willing to finance rights improvement, strengthening civil society, and democracy (Gready and Ensor 2005:30; Pierce and Howell 2001: 50), NGOs projects focusing on rights to life, freedom, and integrity of unionists, as well as labour rights, acquire a major importance.

ENS financing from FNV Mondiaal has been linked with the capacity of the later to support CUT in overcoming the "high level of union and human rights abuse in the country, and the structural and representativeness weaknesses of Colombian union federations" (Pegler 2007: 20). In this respect, CCJ financing from the EU has been related to the proposed capacity from the organization, for achieving goals such as enhancing respect for human rights in countries and regions where they are most at risk, and strengthening the role of civil society in promoting human rights and democratic reform, in supporting the peaceful conciliation of group interests and in consolidating political participation and representation (EIDHR, n.d)

6.3 Reframing meanings and organizational boundaries

During the process of cooperation in a national and international level, following the repertories of action characteristic of the networking action (Keck and Sikkink 1998), unions and NGOs have had tensions about identity and membership issues (Braun and Gearhart 2005: 209 – 211; Egels-Zande´n and Hyllman 2011: 251). I agree with Ball (2005:282) and Leftwich (2000: 4-5), aid and development are political processes given that they involve the allocation of resources

As shown in chapter 4, ENS and CCJ have been the main producers of data, knowledge and trainings, on violence against trade unionists. Their information has been recognized by a set international actors, and national institutions, giving them the potential power for contesting or reinforcing ideas, as well as the terms of international debates on the topic and local policy (Stone 2000:9)[8]. However, in spite of the fact that information activities are valued by the unions, they have also perceived them as an attempt from NGOs to take union spaces. As stated by CUT's president,

> The majority of NGO members are formed people, intellectual, who know or interpret topics which range from International Humanitarian Law and war and conflict, to environmental issues. Furthermore, they make proposals to overcome such issues. I believe they do a valuable job but I do not agree they decide on behalf of unions or try to replace the labour movement (Tovar 2012, personal interview).

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[8] NGOs documents have been quoted by the Committee of Experts on the Application of Conventions and Recommendations (CEACR), the Committee on Freedom of Association (CFA), concerning Case 1787, and the Conference Committee on the Application of Standards, among others, in order to prove and denounce the situation of violence against unionists in Colombia, (CCJ-ENS 2010: 6). In addition, national institutions such as ANDI, and the Ministry of Social Protection, have recognized them as well but not necessarily shared their the arguments (Pegler et al: 2007: 32).

The opinion of CUTs president allows get two conclusions on the tensions within alliances. In first place, that CUT has established limits to the involvement of NGOs in union organizations. However, from the NGOs perspective, CCJ and ENS interviewees have stated that NGOs do not attempt to replace unions' work. On the contrary, they aim to complement each other's work according to their own specializations (G. Gallón; L. Malagón, and Sánchez 2012, personal interviews). However, they have pointed out that unions have difficulties to maintain data systems, trainings, and specialized people to act towards human rights achievement. For this reason, NGOs are the most indicated ones to fill the vacuum left by unions in that area (Sánchez 2012, personal interview).

In second place, CUT President has also made clear that members or unions are different to NGO staff. For him, there is an identity boundary between "us" and "them", been them more formed people, intellectual. Such understanding has been also seen union-NGO relationships in other countries such as UK, were a limit between a middle upper class of NGOs and unions as representatives of working class has created animosity between the two parts (Spooner 2004:27)

In addition to tensions on rights and identity, the alliance has also brought as a result the construction of a joint understanding of violence which has integrated union focus on labour rights to a broader set of rights which include rights to life, freedom, and integrity. Such approach has understood violations to civil and political rights as an obstacle for the development of unionists and labour activities (CSI et al. 2011). In addition, they have merged their traditional ways of mobilization (such as petition, strikes, collective bargaining) to the tactics implemented by human right networks.

In the case of CUT a shift has occurred. After being more centered around the discussion on democratization, and violence, Confederation's resolutions have included a rights-based perspective for the promotion, defense, and protection of human rights, and freedom of association. In the same manner, they recognized female and male trade unionists as victims of systematic violations to human rights (CUT 2006: Resolution N. 4)

Thus, as argued by Miller (2010:923), the organization has adopted a Rights Framed Approach – RFA- in which rights approaches can have a variety of fashions, contexts and with different actors, without modifying their own organizational objectives and goals.

In sum, unions and NGOs, as agents of social change, have engaged in complex relations of collaboration and competition, and also specialization" (Alvarez and Hintjens; 2009:19). As cited in Álvarez and Hintjens, De Soussa Santos argues that in social movements personal as well as collective and policy level change will be combined, in most cases, and relations between and within social movements are almost unavoidably complex and contradictory (Alvarez and Hintjens; 2009:19)

Chapter 7 **Conclusions**

This thesis has reflected on the joint work done by unions and NGOs to protect and guarantee unionists' rights in Colombia. Moreover, it has aimed to demonstrate that alliances between unions and NGOs in countering violence in Colombia have been influenced by the logic of international rights defense in the late twentieth century, in which rights based approaches to development, donors' aid, and international human rights networks have played a role. Relations between both organizations have been constructed and shaped through a process of power relations in which mutual needs have played a role, and negotiation over ideal and material resources have taken place.

In order to explain my hypothesis and answer the research questions, this final section is organized in three parts. The first concluding part is related to the question on the factors that have fostered cooperation between unions and NGOs to counter violence against trade unionists. Here, it was found that unions' and NGOs' first approaches were related to the common goal of working towards democratization, political participation, and resolution of the Colombian armed conflict. Nevertheless, due to the increase of violence against trade unionists by the end of the 1980s and mid-1990s, CUT saw in NGOs the expertise, knowledge, and modes of action for participating in broader international human-rights networks, capable of making violence against unionists visible, and generating pressure from outside to the state.

It was found that CUT valued ENS and CCJ's trainings in rights' violations monitoring and capacity building, research, and advocacy before human rights organizations such as the IACHR and their support in ILO. From NGOs perspective, in a context in which rights-based approaches and networking is valued by aid contributors, for ENS and CCJ the results were important to accomplish their project goals and promote projects in those directions, in order to guarantee donors funding.

During the research it was also found that in spite of the fact that alliances between CCJ, ENS and CUT in countering violence can be traced for more than twenty years, they have not always functioned in the same manner. Both groups have collaborated with other human rights organizations, but highlighting always having stronger ties among the three of them. Thus, my findings present a first approach to the way in which a small part of the network works, and moreover, on the way that organization alliances are influenced by networking logics.

My second conclusion attempts to answer the question on how unions' and NGOs' organizational characteristics and understandings of violence have been influenced during the process of cooperation. Here, it was found that reasons and actions in union-NGOs alliances have been embedded in a broader model of human rights advocacy, developed since the last decade of the twentieth century, This model, based on repertories such as mobilizing information and advocacy in the language of rights, have given NGOs a dominant role over unions, generating tensions between unions and NGOs in terms of organizational identity and membership.

Identity differentiation between unions and NGOs seem to become vulnerable in the process of cooperation, given that trade unions representatives have perceived that NGOs seem to be replacing the labour movement in many spheres, especially when NGOs act in behalf of unions (Loza 2012, personal interview ;Tovar 2012, personal interview). NGOs seem to threaten unions' representatives feeling of independence to represent their own members. On the other side, NGOs, in this case CCJ and ENS, have argued that they do not attempt to replace unions' work, but recognize that they are more prepared to act towards human rights achievement than unions(Sánchez 2012, personal interview).

Such discussions on identity and membership allow to see some of the challenges faced by the labour movement by the end of the twentieth century, in terms of recognizing the multiple identities of workers, and a moving and integrating with a whole network of social movements, and NGOs. As stated by Waterman (2008: 254-255), the labour movement, recognized as most democratic organization, has being challenged by the new global justice and solidarity movements which struggle in the terrain of global civil society. In this context, the dialogue between labour and social justice movements has brought as a result a dialectic process in which one has been affected by the other, and vice versa (Waterman 2008: 254-255)

As a result of this process, both unions and NGOs have constructed a specific definition of the problem in which the exercise of rights to life, freedom and integrity are the condition for the accomplishment of labour rights. Indeed, in a joint document presented by NGOs (such as CCJ, ENS, and José Alvear Collective of Lawyers), and union confederations (CTC,CGT, CUT) on the right of freedom of association before IACHR (2011) was stated that "overcoming violence is the condition for the adequate development of unionists and labour activities" (CSI et al. 2011). Hence, in spite of the influence that NGOs have had on the process, violence against unions has been defended from an integral approach to rights, involving the previous trade union agenda on labour rights, as well as those rights affected by violent acts.

Finally, my last conclusion responds to the main question of the research on how international dynamics for defending rights have influenced union-NGO alliances to counter violence against unionists in Colombia. According to what has been mentioned above, it is possible to state that international and globalized dynamics have made unions and NGOs every time more interdependent, given that the former gets the know-how from the latter, and the latter finds on working in workers' rights an argument to ask for funding to both labour and human rights networks (i.e. EU, FNV or AFL-CIO).

Moreover, human rights networks have gave privilege to NGOs knowledge and technical capacities, generating an unequal relation of power within the alliance in favor of those organizations. Nonetheless, such relation is balanced from union side given that they can withdraw the alliance, and hinder the capacity of NGOs of sustaining their projects. Once more, cooperation demonstrates to be involved in *politics*.

By last, it is important to have in mind some implications of the involvement of union-NGO alliances in international networks of human rights and aid, for countering the problem of violence against unionists. On one side, actions towards rights improvement are constantly under the risk of breaking up, due possible changes in organizations agendas and donors funding. However, it is possible to state that the work done so far has established a ground for gaining leverage international organizations, especially in ILO, and had resulted in policy recommendations for the Colombian state.

Moreover, it has served as a ground for claiming unionists' rights to truth, justice and reparation in the current Colombian transitional justice frame, and as one of the main arguments for changing the terms of the debate in the final approval of the Free Trade Agreement Colombia-USA, during a campaign that took place from 2006 to 2012 (Malagon 2012: personal interview).

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Appendices

Appendix 1

Brief context of Colombian armed conflict

According to Sánchez et al. (2003), Colombia has experienced two dynamics during the last decades. On one side, the country got through a process of decentralization, increase of the political participation and the promulgation of a broader chart of right's through the Constitution of 1991. On the other side, it experienced a "growing predominance of the logic of the war, the escalating protagonism of private armed actors, the fragmentation and delegitimation of state institutions, and the struggle surrounding civil society" (2).

For some academics such as Daniel Pecaut (2001), Sánchez et al. (2003), Pizarro (2004) y Gutierrez et al. (2006), among others, since the late 1980's, civil society has became the main victim of the Colombian armed conflict.

According to Pecaut (2001) and Pizarro (2004), the increase of armed confrontations between guerrillas, paramilitary groups and military forces of the State for political, social and economic control over certain territories have made civil population the main target of the conflict (Pecaut, 2001: pp; Pizarro, 2004: 67). Nevertheless, Pizarro has claimed that such statement could rest visibility to the political dimension of the conflict, which still has an importance within the country (Pizarro, 2004: 67). In addition, Gutierrez et al. (2006) have also indicated that in Colombia the boundaries between combatants and civil society have become more blurred every time, especially in areas where paramilitary groups and guerillas have been articulated with local and regional powers (2006: 20).

As with Sánchez et al. different violent dynamics had increase vulnerability of civil population. Firstly, the author mentions the struggles for land, whether in the context of land colonization that took place during the coffee crops expansion, or due the processes of land grabbing and dispossession geared by paramilitaries, drug traffickers, guerrillas and multinational companies. Secondly, in the middle of struggles for labor conditions in which trade unions from the banana agribusiness (especially those from the regions of Uraba and Magdalena Medio), ended up in the middle of the fight between different guerrilla groups, or guerrillas and paramilitaries. Thirdly, the author mentions the tributary extraction in strategic mining sectors, where great bosses privatized the use of violence, or where mining enterprises, State, and guerrillas were in confrontation for resources. Some examples of these situation were seen in emerald zone in the west of the department of Boyacá, the gold mines in Antioquia, coal mines in Cesar and La Guajira in the north east of the country, and in petroleum zones in the regions of Santander, Arauca and Casanare (Sánchez, 2003: 3-5).

Such violent dynamics were accompanied by the increase in human rights violations, especially during the decade of 1990 and the early 2000. The rates of

45

homicides in the country reached their higher points in 1991 with 74,33 homicides per 100.000 inhabitants, 1994 with 71,72 hpch, and 2002 with 65,74 hpch.

**Graph 1. Rate of homicides in Colombia 1990-2010**
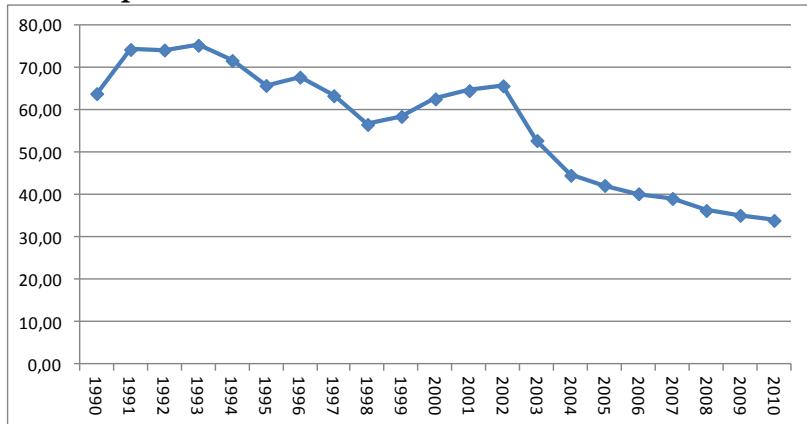
Source: National Police of Colombia
Processed: Presidential Program on Human Rights and IHL

In the early 2000's, populations such as the indigenous people and trade unionist were the main victims of violations to their rights to life. According to official sources, homicides against both groups reached the peaks of the decade in 2001 and 2002.

Graph 2. Homicides of Local authorities, indigenous and trade unionists in Colombia
2000-2010
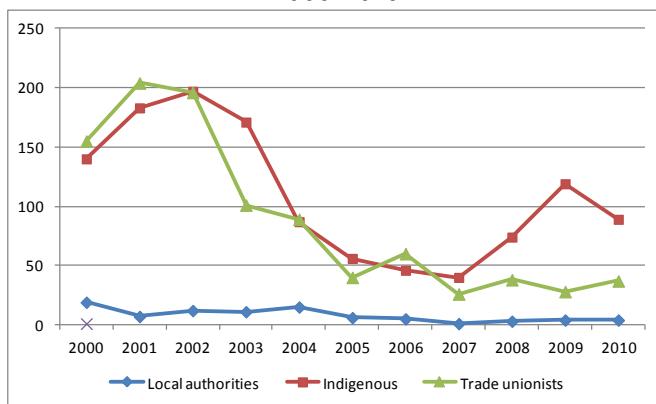
Source: Presidential Program on Human Rights and IHL, Ministry of Social Protection, and National Federation of Municipalities of Colombia
Processed: Presidential Program on Human Rights and IHL

Appendix 2

Lists of interviews conducted for the research

Interviewee	Organization and position	Date of interview	Place of interview
Andrés Felipe Sánchez	ENS Rigths Defense Department	30th May to the 15 of June of 2012	International Labour Organization, Geneva
Domingo Tovar	CUT President CUT Colombia	30th May to the 15 of June of 2012	International Labour Organization, Geneva
Gustavo Gallón	CCJ General Director	30th May to the 15 of June of 2012	International Labour Organization, Geneva
Cesar Eduardo Loza	USO Legal Affairs	30th May to the 15 of June of 2012	International Labour Organization, Geneva
Lina Malagón	Former Director of labour issues CCJ	10th October 2012	Skype Interview
Alberto Vanegas	CUT Director of Human Rights' Office	2nd October 2012	Phone Interview

Appendix 3

Murders of Members of the 15 most affected Trade Union Organizations between 1 January 1986 and 30 August 2010

Trade Union	Nº of Murders
Fecode*	921
Sintrainagro**	798
USO	116
Anthoc	58
Sintraelecol	50
Asonal judicial	47
Sutimac	38
Fensuagro	37
Aseinpec	33
Sinaltrainal	22
Sintraemcali	22
Sincontaxcar	21
Sintramunicipio	21
Sintraemsdes	20
ASPU	19
Total	2,223

* The figures for Fecode group the murders committed against the federation's member unions: Ade, 5; Adea, 8; Adec, 9; Adeg, 9; Adem, 13; Ademacor, 54; Ades, 16; Adida, 334; Adih, 6; Aducesar, 37; Aica, 28; Asedar, 34; Asep, 18; Asinort, 37; Asodegua, 10; Asoinca, 31; Educal, 34; Edumag, 33; Ser, 31; Ses, 26; Simana, 38; Sindimaestros, 10; Sudeb, 25; Suteq, 3; Sutev, 53; Umach, 6; and Fecode, 13.

** The figures for Sintrainagro group the murders committed against the unions that merged to form the union: Sintrainagro, 677; Sintagro, 97; Sintrabanano, 21; and Sindejornaleros, 3.

Appendix 4

Murders of trade unionists by periods and sources

Asesinatos de sindicalistas por períodos y fuentes

Escuela Nacional Sindical.

Observatorio DH.