

Colombia –

Murder of union leader prompts lawsuit against Nestle in US federal court

RRN letters: September 22, 2005, October 15, 2006

Luciano Enrique Romero Molina, a leader of the food and beverage union SINALTRAINAL and the representative on the Foundation Committee of Solidarity with the Political Prisoners (FCSP) for the union, was tortured and murdered on September 11, 2005. His dead body that was tied up and stabbed 40 times was found in a paramilitary-controlled area of Colombia. Romero had worked for Nestle, which fired him on October 22, 2002, for alleged strike activities declared illegal by the Ministry of Social Protection. (RRN letter Sep. 22, 2005)

Later documents discovered by the Attorney General's office found Romero's name and address on a "death list" of people, some of whom have been killed because of alleged links with insurgent groups. The document was found in the home of a paramilitary leader belonging to AUC (United Self-Defense Forces of Colombia), the largest national army-backed paramilitary group. (RRN letter Oct 15, 2006)

GOOD NEWS! October 28, 2006: Romero's widow, Colombian labor union SINALTRAINAL and the Washington-based International Labor Rights Fund have **filed a lawsuit in US federal court in Miami charging Nestle USA and Nestle of Colombia with complicity in his death.** Nestle USA, headquartered in Glendale, CA, responded: "We have not been served with a copy of the lawsuit, and therefore we have no comment at this time."

The lawsuit charges that Romero was killed by members of Colombia's paramilitary United Self-Defense Forces because the union leader helped expose Nestlé's use of expired milk in its Milo brand drink. The Colombian government later confirmed the 2001 allegations. Nestle operated in complicity with the paramilitary; plant managers met openly with them inside the factory in Valledupar, in northern Colombia.

Javier Correa, president of SINALTRAINAL said several paramilitary members were charged in the killing, but they are currently in military-protected camps and could potentially be eligible for amnesty under a new law. The lawsuit said the plaintiffs could not count on the legal system in Colombia. The suit was brought under the Torture Victim Protection Act and the Alien Tort Statute, which allows foreigners or aliens to sue in U.S. courts on issues of internationally recognized human rights violations.

"The track record of these cases is actually very good," said Terry Collingsworth, of the International Labor Rights Fund. He added that there is solid jurisdiction because Nestle is importing products through Miami.

The suit seeks financial relief for Romero's widow, Gladys Francisca, the couple's three children and the SINALTRAINAL union.

[Note: RRN has written several letters on behalf of SINALTRAINAL workers threatened and killed by Coca-Cola bottlers in Colombia. A lawsuit in US federal court is pending. Learn more at www.killercoke.org.]