

PERMANENT PEOPLES' TRIBUNAL

SESSION ON TRANSNATIONAL ENTERPRISES AND RIGHTS OF PEOPLES IN COLOMBIA 2006 - 2008

First Hearing

April 1 and 2, 2006

Bogotá, Colombia

Jury's Decision

1. INTRODUCTION

Established in 1979 as a successor to the Russell Tribunals on Vietnam (1966-1967) and on the dictatorships in Latin America (1974-1976), the Permanent Peoples' Tribunal has as its calling and mandate to visibilise and evaluate, in terms of right, all those situations in which the massive violation to humanity's fundamental rights do not attain institutional recognition or answers, either nationally or internationally. Throughout its 25 years of history and by way of its 33 sessions, the Permanent Peoples' Tribunal has accompanied, anticipated and supported peoples' struggles against the spectre of violations to their fundamental rights, including being denied self-determination, foreign invasions, environmental destruction, and new kinds of economic dictatorships and slavery.

For the second time, Colombia is the object of investigation and trial by the Permanent Peoples' Tribunal. From 1989 to 1991, another session of this same Tribunal took place to put to trial the impunity of crimes against humanity, in an extended session involving

twelve Latin American nations (Colombia being the first country investigated, and Bogotá being the final deliberative session site from April 22 to 25, 1991). Fifteen years later, for the second time, the Tribunal has agreed to subject to its investigation grave situations affecting the life and fundamental rights of most of the Colombian population. However, this time the Tribunal is setting its investigative sight on the transnational enterprises operating in Colombia that have also been involved in practices violating the most elemental human rights, which are co-ordinated with networks of violence that bury their roots in State strategies, motivated and sponsored by hemispheric policies attempting to be legitimised through the security imperatives of the major investing and business interests.

The Tribunal begins this session a little atypical compared to past experiences, since this session will be made up of several hearings over the span of two years in order to slowly and deliberately investigate the type of involvement by transnational enterprises in the different fields of natural resources extraction. This offers a unique opportunity for the Tribunal that will allow it to directly observe economic practices that combine the political with the military, and that profoundly affect the enjoyment of peoples' economic and political rights. It is evident that the violations of these rights benefit from legal loopholes existing in international law, which has allowed many levels of fundamental decisions (concerning the survival of peoples and the many social layers within them) to remain in the hands of the drive for profit of the major financial interests.

The jury has been made up of members from the Permanent Peoples' Tribunal, as well as of Colombian joint judges:

- Doctor **Vilma Núñez de Escorcía**, who was vice-president of Nicaragua's Supreme Court of Justice from 1979 to 1988, National Human Rights Commissioner until 1990, and later president of the Nicaraguan Human Rights Centre (CENIDH). Additionally, since 1990, she has been vice-president of the International Federation for Human Rights (FIDH).
- Doctor **Antoni Pigrau Solé**, professor of international public law and former vice-

chancellor of the Universidad Rovira y Virgili (Tarragona, Spain), as well as author of many articles on international law and member of several academic circles concerned with this matter.

- Doctor **Gianni Tognoni**, physician and member of the Mario Negri Institute (Milan, Italy), as well as secretary of the Permanent Peoples' Tribunal since its foundation in 1979.
- Doctor **Eduardo Cifuentes Muñoz**, former judge to Colombia's Constitutional Court, former Human Rights Ombudsman, and presently dean of the law school at the Universidad de los Andes¹
- Doctor **Orlando Fals Borda**, member of the Permanent Peoples' Tribunal, co-founder of the Faculty of Sociology at the Universidad Nacional de Colombia, author of many works on sociology, and co-author of the work: *La Violencia en Colombia*, which gathers the historical memory of the violence in the 1950's.
- Indigenous leader from the Nasa community, **Rangel Geovanny Yule**, former senior counsellor for the Association of Indigenous Cabildos from Northern Cauca, and presently counsellor for the National Indigenous Council of Cauca.
- Doctor **Libardo Sarmiento Anzola**, economist and philosopher, member of the editorial team at *Le Monde Diplomatique* in Colombia, member of the Víctor Franck Colombian Speech Therapy Institute, and independent researcher and writer.

Over the course of three public sessions attended by more than four hundred persons, the work was carried out in accordance to the programme detailed in the appendix.

The jury wishes to emphasise the high quality of the reports and testimony presented, as

¹ Dr. Cifuentes only participated in the morning of the first day of sessions. He was not present for the deliberations on the decision.

well as the wealth of print and electronic documentation made available to the Tribunal in order to support, by way of copies of original documents, all of the details of the cases and situations referred to in the hearing.

In regards to the specific case of Nestlé, the jury had at its disposal the documentation and ruling issued in the hearing sponsored by Multiwatch, which took place in Bern, Switzerland on October 29 and 30, 2005, where reference was made to the parent company's responsibility and positions.

2. OCCURRENCES

During the hearing, detailed reports were presented concerning the nature, institutional past, economic extent and financial solvency of the transnational enterprises Coca-Cola, Nestlé and Chiquita Brands, as well as analysis of their spending patterns in the context of the national economy and differentiated in the fields of capital and work. The reports reveal enterprises that are very economically solvent, highly profitable and with broad global reach. For example, Coca-Cola increased its initial investment in Colombia from ten thousand dollars in 1942 to 628 million dollars in 2005, without there having been any foreign investment by the parent company. Such is the accrual produced by its profits generated in Colombia. From 1990 to 2001, this multinational multiplied its assets eight times, its shares twenty-six times, and 1.4 times the value created in its factories. It attained an average annual profit of 80% throughout the 1990's. As far as Nestlé, from 1990 to 2005, it went from producing 109,000 dollars per worker to 427,000 dollars per worker, which equals an average annual increase of more than 20%.

The compilation of testimony, accusations and reports reveals that, since 1980, both enterprises have been re-designing their investment and profit patterns, a process which has been characterised by closing factories, plants and subsidiaries, multiplying corporate names in order avoid corporate responsibility, as well as subcontracting and the tendency for temporary and outsourced employment. Just in the 1990's, Coca-Cola reduced by 3.5 times the number of workers with job security, and by three times the number of unionised

workers. In Nestlé, presently only 3 percent of the workers have been employed in their factories for at least ten years.

The job security, social security and quality of life of workers have been enormously damaged throughout this whole process. According to testimony, in many cases even basic labour regulations have been ignored. The food and beverage workers union, SINALTRAINAL, is in the process of extinction in these two transnational enterprises. Over the past decade, the results of the measures taken by Coca-Cola implied a 35% reduction in wages for the company when temporary workers are employed; a 60% reduction when the work is carried out by a contract worker; and a 75% reduction when the work is performed by a worker from a co-operative or other similar method. As a whole, the payroll of its workers has reduced 2.5 times. Likewise, from 1998 to 2005, the payroll at Nestle has reduced 59%.

The testimony reveals a constant search for legal defence mechanisms by the workers that have been victim of these processes. Nonetheless, an ongoing frustration is perceived, not only because labour justice is inefficient, but also because labour reform has tended to loosen and weaken job security in Colombia. In this sense, Laws 50 of 1990, 100 of 1993 and 789 of 2002, have profoundly deteriorated workers' rights, security and income without the corresponding international bodies being able to respond to the expectations of workers. Additionally, the relationship between capital and work has been eliminated and replaced with freelance contracts.

Many of the accusations that were presented in this hearing reveal that the traditional framework inspiring many principles of labour law, according to which the relationships between capital and work must be regulated by the State (as the institution guaranteeing the rights of all citizens), have become somewhat fictitious, since what is perceived in almost all of the cases is a symbiosis between the State and the enterprises that disregard the rights of workers. The case of Mr. Sabas Pretelt De La Vega is significant. In 2003, he went from being the representative for commercial capital interests to being the Minister of the Interior and Justice, thus determining the major political and legal decisions affecting

Colombian workers. Likewise, Ms. Luz Stella Arango and Ms. Ludmyla Florez went from being, respectively, a lawyer and the chief of labour relations for the transnational Nestlé to being the vice-minister and the chief of labour affairs at the Ministry of Social Protection. The flow has also gone in the other direction, as in the case of former Inspector General Jaime Bernal Cuéllar, who in the course of his duties refused to investigate many of the denunciations by Coca-Cola unionists. Later, in 2003, he acted as the civil party for this enterprise in processes concerning defamation and slander against the leaders of the union.

In almost all of the testimony, the reiterated denunciations were profoundly impressive concerning the role paramilitarism has been playing as a mechanism to implement the State's and the transnational enterprises' illegal decisions that worsen the situation of workers. For example, in order to force a worker to withdraw from the union or enterprise, renounce legitimate claims, accept unstable labour conditions, or withdraw denunciations or suits, paramilitaries are systematically resorted to in the attempt to make effective (by way of intimidation, kidnapping, attacks, threats, torture and murder) the disastrous policies of the transnational and the State. In the case of the transnational Chiquita Brands, the relationship between the enterprise and paramilitarism is more obvious, since evidence was presented concerning this enterprise having provided significant financial contributions to paramilitary groups in Córdoba and Urabá, as well as having transported 3,000 AK-47 assault rifles and five million rounds of ammunition to these paramilitary groups in 2001 who were the authors of several thousand horrendous crimes in this region. According to accusations, not one criminal or disciplinary process carried out by the authorities has produced any consequences, all of these crimes and procedures remaining in total impunity. To the contrary, those who denounce these criminal actions are criminally investigated and prosecuted, going from being the accuser to being the accused. In summary, in Colombia work-related terror imposed by the State and multinationals combines legal and illegal strategies in order to achieve its goals.

In this hearing, impressive testimony could be heard of victims and victims' family members who were subjected to grave human rights violations. It is important to stress the persecution subjected upon the San José de Apartadó Peace Community, which is

especially punished for having taking a clear position not to collaborate with armed actors.

In relation to the murders in which the direct or indirect responsibility of transnational enterprises is demonstrated, ten cases were presented associated with Nestlé, and nine with Coca Cola. A gruesome chain of affectation is seen that begins with the workers, continues to their families and communities, and concludes with society and the environment.

Many lives have been destroyed as a consequence of these criminal strategies. Likewise, everything turns into cheapened merchandise, including the labour force of human beings and nature itself.

Additionally, due to the Colombian State's food and agriculture policies and the control of this sector by transnational enterprises, most of the Colombian population suffers high degrees of malnutrition and hunger. Millions of persons lack sufficient intake of energy, proteins and micro-nutrients in order to satisfy their basic needs concerning the maintenance, growth and development of the body. According to the Food and Agriculture Organisation and the World Food Programme of the United Nations, six million Colombians (13% of the population) suffer from severe hunger and lack the necessary resources to acquire food, and another five million register a high degree of malnutrition. Until the middle of the 1990's, 147 out of every thousand persons in Colombia were malnourished (14.7%). By the end of that decade, it had already reached 173 out of every thousand persons (17.3%). In the level of chronic childhood malnutrition, Colombia only surpasses Ecuador, being below all other Latin American countries. In the level of food energy supply and the FAO concept requiring a minimum of 3,000 daily kilocalories, Colombia is below the regional average and only surpasses Venezuela and Paraguay, though Venezuela has recently designed intense strategies to eradicate hunger.

3. SPECIFICATION OF THE CHARGES

1. The first verification that must be carried out is that the impact of the action of the transnational enterprises (Nestlé, Coca-Cola and Chiquita Brands) studied in

Colombia broadly exceeds the framework of labour relations and decisively influences the composition of the socio-political model, and even of the very nature of the Colombian State. The action by these enterprises, along with others, has been so relevant that it has affected and affects the transformation of the country's food and agriculture structure leading to an alarming growth in hunger, the possession of land and natural resources, the configuration of the landscape and geography, the distribution of the population in Colombia, and the ways of living and relating within and between different communities, including indigenous communities. This action has had an especially dramatic impact on living conditions and perspectives on the future, including survival itself, far beyond that which strictly concerns these enterprises' direct or indirect workers.

2. Even though the principle approach of this hearing was to study the violations to the rights of workers from transnational enterprises in the food sector, this Tribunal cannot avoid referring to the current situation, which demonstrates a complexity and inter-relationship with other aspects making up the structural situation in Colombia.
3. As far as the socio-labour framework, the strategies and practices carried out by the analysed enterprises greatly exceed what could be an improvement of production conditions in order to achieve more efficiency in the enterprises' economic activity. In regards to the objective of increasing benefits, all kinds of legal, para-legal or directly illegal activities are carried out that totally disregard the rights of the workers and of their families (such as interest and respect for the communities where these enterprises operate), as established in countless international legal instruments. This reaches extremes that brush the realm of slave labour, and are examples of an absolutely scandalous insensitivity and cruelty towards these persons, as in the cases presented in the hearing in which Coca-Cola refused to assume any responsibility for the workers who were victim to grave work-related accidents in the enterprise, or as with the case of re-labelling and re-packaging out-of-date milk by Nestlé. Without affecting what will be stated later, this demonstrates a flagrant contradiction to the social responsibility commitments solemnly taken on

by some of these enterprises in international forums, and with what is established in the “Global Compact” sponsored by the United Nations. This also demonstrates an enormous arrogance and disdain for human life, a core characteristic attitude in crimes against humanity.

4. The documents, information and testimony presented clearly demonstrate the existing symbiosis between the State structure in Colombia and the analysed transnational enterprises, which is reflected very visibly in the flow of government and business leaders going in both directions. In the practice, this symbiosis translates into a sub-ordination of the State to the petitions, needs or conveniences of the studied transnational enterprises and is manifested in all branches of the State. In terms of the legislative branch, this is undertaken by way of adopting legal norms meant to obstruct free union association, de-regulate work contracts, and in the practice dismantle the right to work. In terms of the judicial branch, this is undertaken by way of blocking processes initiated by the representatives of the workers, and by way of co-operating in strategies involving judicial harassment (as with that carried out by Coca Cola). In terms of the executive branch, this is undertaken by way of the absolute partiality of government agencies, as is demonstrated by the performance of the Ministry of Work in the process co-ordinated to dismantle SINALTRAINAL through mass lay-offs and the substitution of subcontracted workers at the Nestlé enterprise in Valledupar. As has been demonstrated in the hearing, the transnational enterprises have not hesitated in using all kinds of means in their policy to destroy union activity and weaken job security, including lay-offs, threats, blackmailing workers by way of their families, or unsubstantiated accusations of collaborating with an armed group. In what refers to the Colombian State, on the one hand this situation demonstrates an abandonment of the responsibility incumbent on every State in regards to the defence of its interests and that of its population. It is no longer a refusal to act as a social State under the rule of law, rather one could even consider it a refusal to act as a State. However, it also demonstrates a flagrant non-compliance to rights, as those established in Article 53 and recognised by the 1991 Colombian Constitution, as

well as to the numerous international conventions signed as a part of the International Labour Organisation and ratified by Colombia, as are no. 87 and no. 98, among others.

5. The documents, information and testimony presented in the hearing clearly demonstrate the connections between the structure of the Colombian State and the action of the armed paramilitary groups. It is suffice to mention here the legislation that facilitated their creation, the numerous statements by members of these groups and members of the armed forces in which they recognise their mutual collaboration, and the legal provisions and judicial actions that have tended to facilitate impunity for their members. This is demonstrated by the fact that in not even one of the murders of unionists from Nestlé or Coca-Cola presented in the hearing have the responsible parties been identified and put to trial. This has been substantiated in numerous reports on human rights violations by inter-governmental and non-governmental sources, in addition to different rulings by the Inter-American Court for Human Rights (such as the ruling on the case of Gutiérrez Soler from September 12, 2005, and the ruling on the case of the Mapiripan Massacre from September 15, 2005). On the one hand, these reports and rulings presume that Colombia is failing to carry out its obligations in regards to refraining from supporting terrorism, and in particular those obligations deriving from Resolution 1373 (2001) of the United Nations Security Council. On the other hand, Colombia is fundamentally failing to carry out its obligations in regards to persecuting the gravest crimes that have international transcendence, which includes crimes against humanity perpetrated by these paramilitary groups over the last decades and causing many thousands of victims. Impunity is the result of refusing such an elemental right as the right to an effective protection of the court. Additionally, cases as serious as Colombia presume the violation to the rights of victims, as recognised in the *Declaration on the basic Principles of Justice for Victims of Crimes and Abuse of Power* (adopted by resolution 40/34 of the United Nations General Assembly on November 29, 1985), and in Human Rights Commission resolution 2004/34 on *The Right to Restitution, Compensation and Rehabilitation for the Victims of Gross*

Violations to Human Rights and Fundamental Freedoms or the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (approved by the Human Rights Commission on April 19, 2005).

Additionally, in December 2005, the recent United Nations Summit established the concept of the responsibility to protect the civilian population. The resolution stated that: *“Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means.”* It added that: *“The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.”* And what is certain is that Colombia has yet to protect its population from these crimes.

6. The connections are not always so evident between transnational enterprises and armed paramilitary groups. One initial fact that cannot be casual is the considerable coincidence between the location of valuable natural resources in Colombia, the establishment of the major multinational enterprises, and the areas controlled by paramilitary groups. In some cases, the evidence is irrefutable, as in the case of Chiquita Brands’ participation in arms trafficking or financing armed groups, classified as terrorist groups by the United States and recognised as such by the

enterprise. However, in many other cases, it is the coincidence or the near synchronisation between the needs of the enterprises and the actions of the paramilitary groups, which brings one to consider that this is not an informal collaboration. This is seen when a call for a strike is followed by threats from paramilitaries. It is seen when the enterprise's management accuses some of their workers (and states their full names) of collaborating with the guerrilla, or of being responsible for the low purchasing price of milk because of their labour demands, as in the case of Nestlé in Valledupar. It is also seen when unionists are a significant part of the persons forcibly disappeared and murdered (almost 100 since January 2005). In this sense, it is extremely revealing the absence of condemnations by the enterprises studied in this hearing, in addition to their refraining from exercising any kind of pressure to demand responsibility for these crimes, in spite of their easy access to the government. It is indisputable that these enterprises have used methods that encourage violence in their relations with workers. It is also especially clear that their anti-union strategies have benefited from the climate of terror and violence generated by paramilitary groups. Only the existence of the rule of law can guarantee a thorough investigation concerning the responsibility of specific persons, members of these enterprises, in some of the crimes carried out by paramilitary groups. Nonetheless, by way of their own national legislative and judicial systems, each one of the States where these enterprises have their corporate headquarters, in our case the United States and Switzerland, have the responsibility of guaranteeing that legal entities, which enjoy their nationality, respect international human rights standards anywhere they may operate.

4. DECISION

The character of the first hearing, on a path which foresees looking closer at many of the occurrences and aspects of right that are the object of this session, evidently suggests a provisional nature in the formalisation of an judgement. The gravity of the occurrences presented that confirm situations of true barbarity, and the quality of the documentation related to these, allows and imposes taking a position that cannot be

deferred. In this sense, a decision seems to be justified even more so due to the ruling that described the situation in Colombia fifteen years ago:

- *“Colombia: A formally democratic government, over which an uncommon and persistent implementation of crimes against humanity is being consolidated. Framed within the national security doctrine and the theory of low intensity conflict, institutional violence (armed forces and security agencies), para-institutional violence (paramilitary organisations), and extra-institutional violence (hired assassins and hit men) attempt to eradicate any person and social, political or trade organisation that confronts the current unjust socio-economic and political structures. Bombardment of rural areas, illegal detention, the massacres of campesinos, the forced disappearance of persons, and the murder of social and political-opposition leaders are several of the instruments used in the systematic and ongoing violation of the most elemental rights.*
- *The mechanisms of impunity are expressed in the concealment of the victimisers by the authorities; in the legalisation of the “self-defence” groups; in the absence of a registry of persons arrested and jailed in military installations; in the authorities’ reluctance to receive denunciations concerning occurrences which constitute crimes against humanity; in terrorising witnesses or those making denunciations; in the inexistence of defining crimes such as collective murder and the forced disappearance of persons; in the military jurisdiction, applicable even for common crimes committed “pursuant to service” by the armed forces and the police; and in passing legislation for quasi-pardon, inappropriate pardon or an amnesty disguised for paramilitaries. Regarding all of the previously mentioned, the absence of political will by the State has to be added that, either by action or the conscious omission thereof, allows and plays a leading role in crimes against humanity.”*

The information and occurrences presented in this hearing demonstrate a close

continuity with the diagnostic carried out fifteen years ago. Furthermore, the evaluation of the relations of power, and of reciprocal inter-dependence, documents the institutional incorporation of practices of violation to the population's fundamental rights, which in this manner reflects their impunity. In this sense, Colombia seems to present itself as a true political and institutional laboratory where the interests of the national and international economic actors are fully defended by way of the double mechanism of the State's abandonment of its functions, and its constitutional duty to defend the dignity and life of its population, subjected to a national security doctrine as if it were an enemy.

This is why the jury resolves to accuse:

1. The transnational enterprises Nestlé, Coca-Cola and Chiquita Brands (as much the parent company as the subsidiaries in Colombia):
 - For grave and massive violations to labour rights, and specifically to the right to free union association; for disdaining the dignity and life of workers and their communities; as well as for supporting economic policies contributing to the dramatic deterioration of an increasing part of the Colombian population's conditions in regards to life and health.
 - For fraud of their consumers by taking on certain social responsibility commitments, which they flagrantly fail to carry out in Colombia.

Without affecting what was mentioned previously, any person related to these enterprises is also individually criminally responsible as an author or accomplice for those crimes against humanity in which they may have participated.

2. The Colombian government:
 - For failing to comply with the right to work, as established in the 1991

Colombian Constitution, as well as with labour rights recognised in diverse international conventions signed as part of the ILO, such as no. 87 and no. 98.

- For failing to carry out its obligations in regards to the persecution of crimes against humanity, and especially of violations to the right to effective legal protection, as well as to the internationally recognised rights of the victims of these crimes, due to the absence of a truly independent judicial power.
- For failing to carry out its international obligations in regards to the persecution of terrorism.

Without affecting what was mentioned previously, the persons belonging to State institutions, no matter their position in them, are also individually criminally responsible as authors or accomplices for those crimes against humanity in which they may have participated.

3. The United States and Switzerland, as the States which are the nationalities of the analysed transnational enterprises:
 - For allowing the economic activity of these legal entities in other countries to be in breach with international human rights standards, which they would be obligated to respect in their countries of origin.

5. RECOMMENDATIONS

The jury is aware of what occurs paradigmatically in Colombia, which refers to the relationship between transnational enterprises and State institutions, and touches on the critical issue of the relationship between human rights, laws and economic practices. In this field, the international institutions, dominated by the interests of States, refuse to take a clear position in the concrete defence of human rights. Faithful to the founding calling of

the Permanent Peoples' Tribunal, the jury addresses the movements, organisations and individuals that believe that the human rights of peoples are inviolable, and invites them to do everything possible in order to:

- a) Continue the fight against impunity using all available means, and especially maintaining the denunciations within the framework of the Inter-American Human Rights System;
- b) Strengthen and co-ordinate the campaigns to boycott the products of these transnational enterprises, especially in order to raise the awareness of the public opinion;
- c) Study the possibility of initiating legal proceedings related to the fraud of consumers in the countries where these enterprises operate;
- d) Gather evidence and documents that allow formulating concrete denunciations before the International Criminal Court, or national jurisdictions, regarding crimes against humanity.
- e) Demand the mass media not to remain silent in regards to the crimes involving enterprises that attempt to position themselves as developers and health providers.
- f) Contribute to the world public opinion knowing about the occurrences denounced in this hearing.

April 2, 2006

Bogotá

Appendix

Hearing of the Permanent Peoples' Tribunal on Food Transnational Enterprises and Crimes against Humanity

April 1 and 2, 2006

Bogotá, Colombia

Auditorium of the Universidad Distrital de Bogotá, La Macarena campus
Carrera Avenida 3 no. 26A-40

Saturday, April 1:

09:00: Presentation of the PPT and past work concerning this session.

09:30: NESTLÉ CASE - Exposition on the charged enterprise.

09:50: First charge: responsibility of the enterprise in crimes against humanity.

10:00: Testimony (5 witnesses, each one spoke for five minutes).

Cases: Murder of Héctor Daniel Useche Berón

Murder of Luciano Enrique Romero Molina

10:25: Jury questions (15 minutes).

10:45: Second charge: Re-labelling and re-packaging out-of-date milk.

10:55: Testimony (2 witnesses, each one spoke for five minutes).

11:10: Jury questions (15 minutes).

11:25: Third charge: Eliminating unions and weakening job security.

11:35: Testimony (4 witnesses, each one spoke for five minutes).

11:50: Jury questions (15 minutes).

12:05: Video presenting testimony on the Nestlé corporation (20 minutes)

12:25: Recess for lunch.

15:00: COCA-COLA CASE - Exposition concerning the charged enterprise.

15:20: First charge: responsibility of the enterprise in crimes against humanity. 15:30: Testimony (4 witnesses, each one spoke for five minutes).

- Case of Isidro Segundo Gil

- Case of Adolfo de Jesús Múnera López

15:55: Jury questions (15 minutes).

16:10: Second charge: criminal investigation and persecution of union activity.

16:20: Testimony (5 witnesses, each one spoke for five minutes).

16:45: Jury questions (15 minutes).

17:00: Third charge: Loss of job security.

17:10: Testimony (8 witnesses, each one spoke for five minutes).

17:50: Jury questions (15 minutes).

18:05: Video presenting testimony by victims from Coca-Cola (20 minutes)

18:25: Break

Sunday, April 2

09:00: CHIQUITA BRANDS BANADEX CASE – Exposition concerning history of enterprise and its historical activity in Colombia.

09:30: Context of the region where the enterprise has operated and paramilitarism has roots.

10:00: Charge: responsibility of enterprise in crimes against humanity.

10:10: Testimony (2 witnesses, each one spoke for 15 minutes).

10:40: Jury questions (15 minutes).

11:05: Video concerning the Banana Workers Massacre in 1928.

11:25: Exposition of context concerning agricultural and food policy in Colombia.

11:45: Exposition of context concerning the Colombian state's paramilitary strategy.

12:10: Recess: the judges retired to deliberate

15:00: While the jury members met in another chamber to discuss their points of view and formulate their collective opinion, in the auditorium messages and greetings were read and

attending delegations spoke briefly.

18:00: Reading the jury's decision, which will be sent to the deliberating session in 2008.

18:30: Closing of the hearing.