

United States Senate

WASHINGTON, DC 20510

July 1, 2016

The Honorable Thomas Perez
Secretary of Labor
200 Constitution Avenue NW
Washington, DC 20210

The Honorable Michael Froman
United States Trade Representative
600 17th Street NW
Washington, DC 20508

Dear Secretary Perez and Ambassador Froman:

We are writing to urge an immediate response to the petition filed by the American Federation of Labor and Congress of Industrial Organizations and five Colombian labor organizations regarding Colombia's non-compliance with its obligations under the U.S.–Colombia Trade Promotion Agreement (TPA).

The petition documents in detail numerous shortcomings in the implementation of the TPA and argues that they constitute a violation of the agreement. Specifically, it raises concerns regarding the Government of Colombia's efforts to:

- Effectively enforce its labor laws in a manner that affects trade and investment
- Adopt and maintain freedom of association and the effective recognition of the right of collective bargaining, as called for in the International Labor Organization Declaration on Fundamental Principles and Rights at Work
- Ensure prompt and transparent proceedings in cases of alleged labor rights violations

According to the Colombian labor organization Escuela Nacional Sindical, nearly nine out of ten murders of trade unionists go unpunished and there is rampant impunity for perpetrators of death threats against workers attempting to exercise their rights. We therefore have serious concerns about Colombia's ability to fulfill its labor obligations as stipulated in the TPA.

We note that the April 16 update by the United States Trade Representative and the Department of Labor on the Colombian Labor Action Plan identifies a number of positive developments, and appreciate the effort put in by both of our countries to achieve them. Nevertheless, as the update itself stresses, "the labor concerns that are the subject of the Action Plan represent entrenched and historical challenges in Colombia, and fully and effectively addressing them requires intensive and continued engagement over time." We agree that we must increase our efforts and strengthen engagement with our partners in Colombia. The recent appointment of Labor Minister López may prove to be an important opportunity to reassert our joint commitment to core principles and to the obligations our countries espoused in the TPA.

We therefore request that you immediately undertake an exhaustive investigation of the trends and incidents documented in the petition. Should the investigation reveal a lack of compliance with the TPA, we would support initiating consultations with the Colombian government as stipulated by Chapter 17 of the agreement. We look forward to working with you to avoid that outcome by providing the workers of Colombia and the United States with the full protections called for in the agreement.

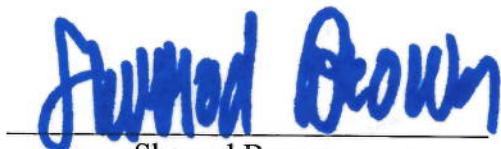
Sincerely,



Robert Menendez
United States Senator



Tim Kaine
United States Senator



Sherrod Brown
United States Senator



Benjamin L. Cardin
United States Senator



Debbie Stabenow
United States Senator



Charles E. Schumer
United States Senator



Bill Nelson
United States Senator