

## **URGENT ACTION**

**FEBRUARY 2006**

*The Urgent Action below has been produced by Peuples Solidaires, a French NGO which campaigns on labour rights, and who are partners of Banana Link. In December, Banana Link issued an urgent action in response to the anti union tactics of the company described below which had to be withdrawn following the threat of legal action.*

## **COSTA RICA TRADE UNIONISTS ATTACKED**

The banana industry is, once again, in the process of being restructured. Damage recently caused by hurricanes in Central America has been a pretext for closing down entire plantations. The multinational Chiquita is reluctant to apply the agreements that it signed, while its rivals Dole and Del Monte are still refusing all dialogue. Ecuador is continuing, with its social dumping policy, to conquer new markets in the context of an on-going 'banana war' between the US and Europe. Workers on banana plantations are the main victims of this deteriorating situation. Yet trade unions have remained active, as the Peuples Solidaires delegation to Costa Rica observed in November 2005. Plantation workers need the support of international solidarity to cope with the indifference and even the repression that they face daily.

Didier Leitón Valverde is a leader of the trade union SITRAP(1). At 7.30 p.m. on 5 October 2005, after a meeting with workers on the Cahuita and Tortuguero banana plantations owned by the company Desarrollo Agroindustrial de Frutales S.A.(2), Leitón left for home on his motorbike. On the way he was attacked by unidentified assailants who had barred the road with a rope. He was insulted, beaten up, dragged across the ground and threatened with death. His identity papers, money and motorbike were stolen. The course of events suggests that the assailants had been informed of his movements and were not there by chance.

Didier Leitón Valverde knew that the road was not safe after dark and that taking it was risky. He would have preferred leaving earlier but the plantation owners had given him no choice but to hold the meeting late. He had agreed because he knew that the workers were victims of an aggressive anti-union campaign and it was important to him not to let them down.

### **Workers cannot defend their rights**

For nearly a year and a half Didier Leitón Valverde has regularly been doing the journey to encourage and support the members of his union.

The first time he went to the Cahuita and Tortuguero plantations, on 22 June 2004, he was allowed easy access and officially recorded 14 new members. Two days later, as prescribed by the law, he officially informed the company head-office in Guápiles of this new union's branch and submitted a membership list. A campaign of harassment and discrimination against union members was immediately launched. On 1 July 2004 a security agent refused entry to the plantations to two SITRAP leaders who were to attend a meeting. This agent claimed to be acting on precise instructions from his superiors.

The campaign was also against the workers themselves. They were advised to join the

'company union' which allowed them certain privileges. SITRAP members were assigned the most difficult and lowest paid jobs, and for the slightest reason were given unjustified warnings.

On 2 July 2004 the SITRAP requested a hearing with the labour inspection, which was held a few days later. The company refused to recognize the union's branch although it recognized individual membership. It also imposed a complex procedure to control union leaders' access to the plantations. Despite these restrictions, the SITRAP decided to take advantage of the little space it had been granted to pursue its efforts to organize the workers. For several months, despite constant pressure, the contact was maintained owing to frequent visits from SITRAP leaders who scrupulously complied with the firm's requirements.

### **Unionists sacked**

The situation deteriorated further in 2005. In addition to obliging the unions to hold their meetings late, the company limited the number of visits to one a week and the number of people authorized to enter the premises to only one.

On 7 May 2005 a union member, Mario Alcocer López, was sacked. On 8 October 2005 the branch leader, José Castro Zambrana, was dismissed without notice and was refused compensation. The union filed complaints to the courts concerning both cases, but the firm can count on the slowness of legal procedures, the means it has to defend itself and its many contacts.

On 13 October 2005, shortly after Didier Leitón Valverde's assault, four SITRAP leaders were again refused access to the plantations. The union submitted a request to the Labour Ministry for the organization of another conciliatory meeting. This meeting was held on 20 October 2005 but the company dug in its heels and refused to accept the union's demands concerning trade union rights. In November 2005 the SITRAP filed a complaint with the labour inspection.

Negotiations have currently broken down. The priority is to bring Desarrollo Agroindustrial de Frutales S.A. to the negotiating table. This is especially important in light of the fact that, with 25% of the national production, primarily for the multinational Chiquita, it is one of the biggest firms in the country. It owns over 20 plantations but workers have been able to organize in only a few of them and their rights have been flouted everywhere<sup>(3)</sup>.

This is the purpose of the letter that we suggest you send to CORBANA, the national organization representing the Costa Rican banana industry, which enjoys considerable influence in the country.

*(1) SITRAP is a Costa Rican agricultural and plantation workers union. It is an active in COLSIBA, the Latin American Regional Coordination of Banana Workers Unions.*

*(2) This company is the result of a merger of several companies, the largest of which was the "Sociedad Agrícola Caribana".*

*(3) Another Costa Rican union, SITAGAH (also a member of COLSIBA) has encountered similar difficulties on a plantation situated at Sarapiquí.*

## FURTHER INFORMATION

*Peuples Solidaires' visit to the plantations:* Costa Rica is a two-sided country: one of tourism, with its beaches, parks and natural sites; and one of labour, primarily on the banana plantations, as the world's second largest banana exporter. It is obviously the latter that the Peuples Solidaires delegation witnessed last November, at SITRAP's invitation. The elected representatives in the delegation met with many actors from civil society and visited the production sites on the banana plantations. They were unable to go wherever they wanted to since they were refused access to several plantations, along with the union members accompanying them. The report on this mission is available from the Réseau-Solidarité secretariat.

*The Solidarity Fund has been solicited:* to be able to carry on supporting plantation workers and dealing with the situation, the SITRAP has to meet huge expenses:

- the fact that the plantations are 70km from the union head-office entails high travelling expenses;
- the legal battle engaged in requires the services of experts since here too, the banana plantation owners have considerable resources;
- the two sacked unionists are being supported financially by the union until they find stable employment.

The executive team has therefore decided to grant the union special financial support from our Solidarity Fund.

## WHAT TO DO

**By letter:** copy the standard letter below or use your own wording.  
Send your letter to the address indicated below, and remember to add your own name, address and signature.

**E-mail:** [corbana@racsa.co.cr](mailto:corbana@racsa.co.cr) - Fax: 506 283 4114

**Deadline:** as soon as you receive this request and not later than 31 March 2006.

## PROTEST LETTER

Dear Sir

I have been informed by Réseau-Solidarité of Peuples-Solidaires (10, quai de Richemont, 35000 Rennes) of the situation on the Cahuita and Tortuguero plantations owned by the company Desarrollo Agroindustrial de Frutales S.A.

I wish to request your intervention to ensure that this company

- recognizes the union's branch and puts an end to actions against SITRAP members;
- allows the free circulation of SITRAP members;
- re-employs the workers unfairly dismissed.

I look forward to receiving information on your follow-up to this letter.

Yours sincerely

**Please copy any messages to Banana Link at [info@bananalink.org.uk](mailto:info@bananalink.org.uk) or by fax to 01603 761645**