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COLOMBIA'S CLASSROOM WARS

Political violence against education sector trade unions

September 2009

Dr Mario Novelli

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Author's Foreword

This report[1] is the product of the efforts of many people and organisations. The fieldwork was carried out in Colombia between 3 April and 5 June 2007 in conjunction with the Colombian human rights organisation NOMADESC and in consultation and coordination with Education International and FECODE, the major Colombian Teachers' Trade Union Federation. Assisted by several other trade union and social organisations involved in education and/or human rights protection in Colombia: ADIDA, ASPU, ASFAADES, SINTRAUNICOL, CINEP, ENS, NOMADESC, Polo Democrático Alternativo, Comisión Colombiana de Juristas, SINALTRAINAL, Red Europea de Hermandad y Solidaridad con Colombia, and the Colombia Solidarity Campaign, UK. During this period I travelled to the major Colombian cities of Cali, Bogotá, Medellín, Antioquia, Buenaventura, and several surrounding rural areas and carried out over 50 interviews with education trade unionists, teachers, human rights workers and social movement and political leaders and met informally with many more. I also gathered a wide range of literature documenting specific cases of human rights violations carried out against educators across Colombia (legal testimonies, urgent actions, press clippings, internal memos and emails) and collected statistical data on human rights violations against educators from three well known and internationally endorsed datasets produced by the Colombian National Trade Union School (ENS), the Colombian Commission of Jurists (CCJ) and the Centre for Research and Popular Education (CINEP). I would like to thank the countless individuals that helped me in this process from the different organisations above, and particularly Berenice for facilitating many of the contacts, Jorge, Juan Pablo for accompanying me on several trips, Blanca for great help in Medellín, and Emilio for both transcribing all the interviews and for carrying out several interviews in Arauca. I would also like to thank several people at Education International: Jefferson Pessi, for his support with the project since its conception; Jan Eastman, for her ongoing support on these and other issues relating to the area of education and conflict; Nancy Knickerbocker for editing the English version of the report; Eva Gorsse for the Spanish version; and finally Frédérik Destrée for the graphic design.

In addition I thank my colleagues in AMIDST, University of Amsterdam, for their support and critical feedback and particularly to those working on Geographic Information Systems software (Karin and Els) for introducing me to its possibilities, and to Merijn de Bakker who produced many of the diagrams presented in this report.

The funding for the fieldwork was provided jointly by the Amsterdam Institute for Metropolitan and Development Studies (AMIDST), University of Amsterdam, and the Dutch Ministry of Foreign Affairs, Education and Research Division, as part of a broader 5 year joint research partnership on Education and Development. While I could not have carried out the research without all of this practical, intellectual and financial support, responsibility for the content and any inevitable omissions or inaccuracies are entirely my own.

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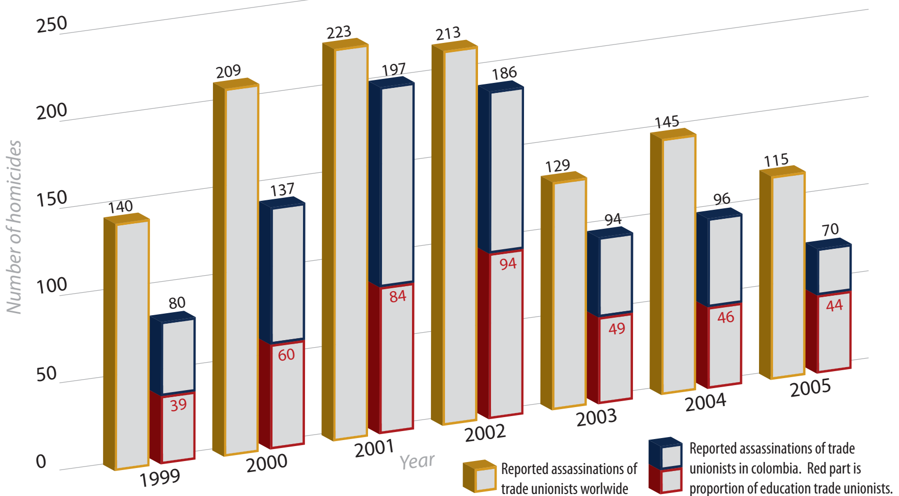
Introduction

Over recent years there has been a growing awareness of the scale of human rights violations against Colombian trade unionists (Amnesty, 2007). According to the Colombian National Trade Union School (ENS) between 1999 and 2005, of the 1,174 reported murders of trade unionists throughout the world, 816 were Colombian. What is less well known is that more than half of these (416) were working in the education sector (see Figure 1). In both cases, the vast majority of these assassinations are attributed to right-wing paramilitary organisations with links to the Colombian state (Amnesty International, 2007).

While these figures are indeed shocking they represent only a partial representation of the nature and scale of violence, death threats, forced disappearances and displacement that the education community in Colombia continues to endure on a daily basis. Due to the highly sensitive nature of the research, and the widely contested views relating to the numbers of human rights violations in Colombia, and who is responsible, I have been cautious in the handling of statistics. For this report I have drawn exclusively on the database of the Colombian National Trade Union School (ENS), which cross-checks all details of alleged human rights violations via the local and national press, the trade union organisation in question, and data that exists in the two other major national non-governmental human rights databases – CINEP and the CCJ. In a highly politicised and dangerous environment such as Colombia this documentation is not always available, and it is likely that many violations go unreported. Therefore it is my hypothesis that the figures presented here represent an underestimate of the actual figures for human rights violations against educators specifically, and trade unionists more generally. According to FECODE,

Figure 1(Escuela Nacional Sindical, 2007)

1999-2005 Comparison between world and Colombian statistics on homicides of trade unionists



the major national teachers' federation, this ongoing repression represents one of the biggest challenges for the trade union organisation.

During a United Nations mission to Colombia in 2003 on the 'right to education', Katarina Tomasevski, the then Special Rapporteur for the UN Commission on Human Rights, was presented with a range of detailed information on the widespread violence against the education community in Colombia, and was shocked at both the levels of persecution and the failure of the Colombian government to bring to justice the perpetrators. She noted that:

> *The realization of the right to education cannot be imagined without the protection of the human, professional, trade union and academic rights and freedoms of teachers. The Special Rapporteur recommends that immediate measures be taken to remedy the absence of their protection in Colombia.* (UN Economic and Social Council , 2004: paragraph 41)

This report seeks to present the facts and figures of political violence against educators, and also to go into more detail on the nature and dynamics of the way educators are affected by political violence in Colombia. Furthermore, it will also document the variety of resistance strategies that education sector trade unionists and their allies have developed over the years to defend their human rights. The report ends with some concluding analysis of the situation of Colombian educators and some suggestions for the international education, trade union and human rights movement on how to support our colleagues in Colombia.

Political violence against educators: A growing problem

From Afghanistan to Zimbabwe, political violence directed at the education community is becoming an all too common phenomenon. Nevertheless there remains very little research that focuses specifically on this type of political violence. Recently there has been recognition of the scale of the problem of political violence[2] against the education system, with UNESCO commissioning a new report (O'Malley, 2007), and there were high-level meetings planned for 2008. Education International, as the major international federation of education sector trade unions, runs a designated office and webpage on violations of the human and trade union rights of educators, which covers a wide range of ongoing violations across the world and demonstrates the scale of the problem.[3]

Over the last ten years the relationship between education and conflict has emerged as an important sub-theme within the broader literature on education and international development. There is now a burgeoning literature on the way education both affects and is affected by violent conflict (cf Bush & Salterelli, 2000; Novelli & Lopes-Cardozo, 2008) and a vibrant policy network, the INEE (Inter-agency Network on Education in Emergencies) that seeks to contribute to good practice in education sectors in conflict and post-conflict societies. Despite these advances, there remains a lack of research on the way educators, and particularly trade unionised educators, are affected by conflict, why they are so often targeted, and the potential strategies that can be developed to overcome this. This study seeks to begin to fill that research and policy gap.

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[2] See *Current Issues in Comparative Education*, 1999, Vol.2(1) as an exception.

[3] *http://www.ei-ie.org/rights/en/*

Understanding teachers as trade unionists

Classical studies of education often depict teachers as state functionaries (Bowles and Gintis, 1976), an essentially conservative force involved in maintaining the status quo and tasked with reproducing the next generation of compliant and obedient workers. On the other hand, teachers have historically been in the forefront of national liberation movements, and over recent years, in opposing processes of neoliberal educational reform (austerity measures, privatisation, decentralisation), which have become globalised via multilateral institutions, particularly the World Bank (Robertson, Novelli et al, 2007).

This contradictory role of teachers is reflected in ongoing debates over teachers being seen (both by themselves and others) as 'workers' or 'professionals' (Loyo, 2001). As professionals, tasked with socializing the next generation, it has been argued that they should not form trade unions, should not strike, and should not be subjected to national collective union organisations that would hamper their professional 'autonomy'. However, as civil servants and workers they are often faced with low status and low financial compensation, which forces them to act collectively to defend their interests (Torres et al, 2006).

While these issues apply to teachers globally, there also appear to be differences between teachers and teachers' unions in the North and South. Vongalis (2004) notes a more confrontational attitude of teachers unions in the 'South' towards challenging neoliberal educational reform and also of the social role and responsibility of teachers to socialize children into challenging the highly unequal status-quo. This perhaps reflects the fact that neoliberal reforms, while a global phenomenon, have effected North and South in different ways and to different extremes, increasing inequality both within countries, but also between North and South. This also might reflect differences in the histories of 'Northern' trade unions and their 'Southern' counterparts, particularly in relation to the Cold War and national independence struggles when the international trade union movement was sharply divided (Herod, 1998; 2001).

Education trade unions, along with other public sector workers, as representatives of members largely within the state sector, also have a built in tendency to clash with the state and thus to be subject to state responses. Educators, as (overwhelmingly) state employees, are driven both to defend their members' interests (salary and conditions), but also some notion of 'public education,' which in the current climate of neoliberal reform often forces them into conflict with the state. This difference between public sector and private sector unions has been explored by Johnston (1988):

> *In contrast to private sector unionism, public worker movements can be expected to identify their interests with some interpretation of public needs. To be sure, whatever notion of public needs they embrace is certain to be shaped by their private interests: not the surrender of private interests to some external public good, but rather the constant compulsion to bring these together. Not only a political struggle, for example, by health care or education workers for more jobs (or fewer layoffs) but also a struggle for health care and for education. Each block of workers, in other words, can be expected to identify with and participate in a larger political bloc organised on some terms around, by and for the production (and depending upon the political conjuncture – the reform of production) of*

the particular public need which defines their vocation and sustains their organisation.
(Johnston, 1988: 57).

These twin phenomena of, on the one hand, the drive of public service unions to express the interests of the 'general public' as well as their specific 'workplace' demands tends to politicise the work of education trade unions, which in a climate like Colombia can have powerful and violent repercussions.

Furthermore, in terms of an organized body of trade unionised workers teachers are unique in that their workplaces –schools– are located throughout the entire country from the biggest industrial conurbation to a tiny hamlet. This provides educator sector trade union organisations with a tremendous geographical reach and potentially an enormous amount of power and influence. However, this geographical spread also means that protecting the human rights of teachers under threat is made far more difficult and complex.

Furthermore, while education sector workers' unions in many parts of the world have always been influential within trade union movements, they have become a greater numerical part of that movement as other public sector workers' unions have seen a decline in membership (as a result of privatisation of state-owned companies, reduction of state sector employees, etc).

While it is important not to overly simplify the behaviour and position of educators, nor to romanticise their behaviour, the above issues are helpful in exploring and understanding some of the contradictory driving forces behind education sector trade unions members, as collective political actors potentially working both with and against the state (Harvie, 2006). Linked to this it is also necessary to understand teachers' activities outside of the school and in the community as members of 'civil society', perhaps engaged in a range of different political and cultural activities, or none. They could be for example, trade union activists, members of political organisations, members of community organisations, members of NGO's and human rights organisations. Indeed, in Colombia, as we shall see, involvement with any of these organisations could have led them into conflict with other 'social actors' who seek to utilise the power of political violence to neutralise their activities. In a similar vein, teachers may also become victims of political violence not by being active in any political or social movement but merely by virtue of being caught up in the broader ongoing conflict in Colombia.

Finally, in understanding the relationship between education trade unionists and political violence, I think it important to avoid seeing Colombian education trade unionists as merely 'victims' of state terror, and instead to see them as active agents involved in a range of political projects. The central argument of this report is that the violation of the political and civil human rights of educators in Colombia (through torture, assassinations, death threats, etc), by state and state-supported paramilitary organisations, is carried out precisely with the intention of silencing those organisations and individuals that are actively defending the economic, social and cultural rights (through defending salary and working conditions, public services, etc) of both their own members and the broader Colombian community.

In this sense political violence against educators cannot, and should not, be separated from an understanding of the broader social struggles of Colombian trade unions and social movements against inequality, authoritarian rule and endemic political violence that continues to sustain a highly unequal development model favouring a small minority of wealthy elites, at the expense of the vast majority of the population.

Background to education unions in Colombia

If political violence is indeed utilised to silence opposition, and trade unionists are seen as a key concern, then a logical target would be the teaching profession. Due to repression, and the massive growth in the informal sector, trade union representation is very low in Colombia, with only 5% of the workforce unionised. The majority of state employees are unionised – around 800,000 - and the biggest trade union in the country is FECODE, the national teachers' federation, with over 250,000 members. (The private sector in education is almost completely non-unionised and represents over 50% of secondary school students and around 70% of university students). FECODE also has a strong presence and influence in the CUT, the major national Colombian Labour Federation, with many ex-members occupying leadership roles.

FECODE is also a highly disciplined and well-organised trade union with members in every city in Colombia and the capacity to mobilise nationally like no other union in the country. Throughout the 1990s to date it has mobilised to oppose educational reforms linked to neoliberal austerity measures, decentralisation and privatisation, with some success. Its effectiveness in blocking decentralisation reforms in the early 1990s was noted by a World Bank report in 1995:

> *FECODE is a powerful Union; it is well-financed and its leaders enjoy stability and maintain nationwide control over their organization. They are in constant communication with the Minister and the Vice Minister of Education, and direct contact with national and regional politicians, frequently expressing their views before Congressional committees.* (Montenegro, 1995:24)

Since then FECODE has mobilised on several major occasions, particularly in 2001 against changes in educational funding mechanisms (Law 2001), which led to a six week strike, and more recently in 2007 over the Colombian Government's national budget plan. In both cases, while not successful in completely blocking the plans, they have been able to negotiate significant modifications to the legislation.

In 2004 they also mobilised nationally and in a highly public manner for a 'No Vote' in a referendum brought about by the current Colombian President, Alvaro Uribe Vélez, to change the Constitution to allow for his re-election. The referendum was won by the opposition and FECODE was credited with a key role in the victory. FECODE has also pledged open and public support for the new political opposition party formed in 2001, the Polo Democrático Alternativo (PDA), which is a fierce critic of the current administration and to the current nature of the 'peace process' with the paramilitaries, which it sees as giving immunity to persons involved in widespread crimes against humanity. Two ex-Presidents of the FECODE are now members of the Colombian Congress for the PDA. All of these issues have contributed to FECODE being targeted by political violence.

In the next section I will provide some background to the conflict in Colombia in general and the ways in which the broader Colombian trade union movement has been affected by political violence.

Background to political violence in Colombia

Historical context of state/civil society relations in Colombia

In Colombia a low intensity civil war has been fought out between Marxist inspired guerrilla and state and para-state forces since the early 1960s. The two largest contemporary guerrilla organisations are the FARC (Revolutionary Armed Forces of Colombia) and the ELN (National Liberation Army). The roots of this armed confrontation can be traced to conflicts over the highly unequal distribution of wealth and political power in a country bestowed with a wide range of natural and human resources. The country has vast deposits of coal, emeralds, oil, ferronickel, gold and water; and a fertile agricultural terrain, which makes Colombia a leading producer of coffee, flowers, and bananas (Fernandez 2003; Hylton, 2003). Geographically it is also located at the crossroads both by land and sea to a range of crucial transnational communication links and, for this reason, it is of strategic international importance (Petras, 2001).

Despite these strategic advantages, poverty is endemic (World Bank, 2002) and conflict and violence have never been far from the surface (Gonzalez et al, 2002). Political violence has been a constant feature of state/civil society relations for decades and the bullet and the bomb have been the preferred option for conflict resolution from the assassination of Liberal presidential candidate Gaitán in 1948, which lead to 200,000 deaths, to the systematic elimination of oppositional forces and trade union leaders, which continues to date. In 1985 the FARC's attempts to enter into the electoral political process with the formation of the Unión Patriótica (UP) led to widespread bloodshed with over 3,000 members murdered by 1994, which once again thwarted the potential for peaceful social reform (Pearce, 1990:281; Reiniciar, 1995). The assassination of Gaitán and the elimination of the UP are but two examples in a long history reflecting the intransigence of the Colombian establishment and their willingness to resort to extreme violence in their struggle to maintain control and block attempts at social reform and land redistribution.

The current conflict has also been fuelled since the 1980s by the increasingly important role that Colombia occupies in the international drugs trade, a trade that has enriched both national elites and many of the warring factions, and increased broader societal conflict. The situation has also been complicated since the 1990s by government attempts to introduce a wide range of political and economic restructuring and austerity measures which have led to national and regional confrontations between trade unions, social movements and the state over processes of privatisation of national industries and natural resources, and budget cuts in public services such as health and education (Ahumada, 1998, 2001; Castillo, 1998).

These multi-dimensional aspects (armed conflict, resource wars, drugs, austerity and restructuring) have, since the 1980s, increased both the intensity and impact of the Colombian conflict. This is reflected in the fact that more than 3 million people are now internally displaced, political homicides per annum ranged from 3,000 to 6,000 during the 1990s, and Colombia retains one of the highest murder rates in the world, all in a country with only 45 million people (CODHES, 2006; Duncan, 2006; RET, 2004).

There is also a strong international dimension to the Colombian conflict which links human rights

abuses to military aid. In common with other US allies during the Cold War, Colombia received extensive military support and training in 'counter-insurgency,' beginning in the wake of the Cuban revolution in 1959 and extending to the present as a key US ally in both the war on 'drugs' and on 'terror.' The doctrine of counterinsurgency in the 1960s, and the training manuals upon which they were based, often led to the conscious blurring of the line between combatant and civilian. These manuals also advocated the setting up of clandestine military units that could carry out attacks on targets while allowing the state to distance itself from responsibility and claim 'plausible deniability' of its involvement in human rights violations (Campbell, 2000; McClintock, 1985). This practice led to trade union and social movements being systematically targeted by both state and right-wing paramilitary organisations as potential guerrilla supporters, a process which is ongoing (Stokes, 2004). As a result, trade union leaders and activists have suffered from a systematic policy of assassination, intimidation and persecution carried out mainly by right-wing paramilitary organisations, with well-documented links to the Colombian state (cf. Human Rights Watch, 1996; 2000; 2001), which has taken the lives of over 2,515 trade union leaders and activists between 1986-2006 (Correa-Montoya, 2007). It is to these organisations that I will now turn.

Paramilitarism and the war against trade unionism

Paramilitary organisations in Colombia were originally set up in the 1960s, with military support, by large landowners as a means of protection against guerrilla incursion and to suppress peasant demand for land reform.[4] They developed in a range of different directions during the 1980s. During the 1990s they became well-funded and well-armed units that prosecuted a terror campaign against leftist insurgents and their alleged 'social base', and have complex and conflicting relationships with drug cartels, particular local elites, and sections of the military (Human Rights Watch, 1996; 2000; 2001; Duncan, 2006).

In the 1990s, the relationship between the Colombian state and these paramilitary organisations appears to have been solidified, particularly in Antioquia, by the introduction of laws under the Presidency of Ernesto Samper to allow for the setting up of armed self-defence organisations known as 'CONVIVIR.' This policy was vigorously supported by the then Governor of Antioquia (1995-1997), and now President of Colombia (2002-date), Alvaro Uribe Vélez. The CONVIVIR appear to have been taken over by already existing right-wing paramilitary groups and drug traffickers and went on to commit widespread human rights violations before being officially 'disbanded' in 1998 (Romero, 2007). They then went on to form the illegal AUC (Autodefensas Unidas de Colombia), which then became the most powerful national paramilitary organisation and continued committing widespread massacres and human rights violations under the leadership of the notorious AUC commander Carlos Castaño (Duncan, 2007). According to several commentators (cf Richani, 2002; Observatory on Human Rights and International Humanitarian Law, 2000) they moved from an army of a few hundred soldiers in 1986 to an army of 11,000 by 2002.

The debate over the precise relationship between the Colombian state and paramilitary forces remains controversial in contemporary Colombia, and successive governments have fiercely denied any direct contact. Despite these protestations there appears to be clear evidence (cf. Human Rights Watch, 1996; 2000; 2001) of more direct involvement by Colombian military forces in paramilitary operations, and at the very least, active non-interference into those operations, as a Human Rights Watch report (2001 : 1) notes:

> *At their most brazen, the relationships described in this report involve active coordination during military operations between government and paramilitary units; communication via radios, cellular telephones,*

[4] The legislation for allowing the right of the military to arm civilians was provided in Decree 3398 of 1968 (World Bank, 1999:36).

and beepers; the sharing of intelligence, including the names of suspected guerrilla collaborators; the sharing of fighters, including active-duty soldiers serving in paramilitary units and paramilitary commanders lodging on military bases; the sharing of vehicles, including army trucks used to transport paramilitary fighters; coordination of army roadblocks, which routinely let heavily-armed paramilitary fighters pass; and payments made from paramilitaries to military officers for their support. In the words of one Colombian municipal official, the relationship between Colombian military units, particularly the army, and paramilitaries is a "marriage."

In its third Special Report on Colombia, the Inter-American Commission of Human Rights, an organ of the Organization of American States (1999, paragraph 18), made similar assertions to link state involvement in the assassination of trade unionists:

The apparent convergence of interests between the paramilitary groups, which attack labor unions, and official persecution lends credence to allegations that State agents are either directly involved in the violent attacks against labor union members or encourage and support such attacks. It is also suggested that paramilitary groups receive intelligence information necessary to carry out attacks against union member targets from the State's security forces. These allegations are further supported by the fact that the State's security forces have in fact prepared intelligence reports, sometimes made public or used in criminal proceedings in the regional justice system, which identify labor union leaders as guerrilla collaborators based on their union work.

Political violence across Colombia increased markedly during the 1990s in tandem with the rapid growth of these right-wing paramilitaries (World Bank, 1999), and they appear responsible for the overwhelming majority of human rights violations (Human Rights Watch, 2000; 1996). The paramilitaries saw trade unionists, along with social movements and popular organisations, as legitimate military targets. The United Nations High Commissioner for Human Rights annual reports (cf. UNHCHR, 2001, paragraph 178) regularly note that FECODE, the major teachers union has been one of the worst effected by this paramilitary policy.

Recent political developments in Colombia

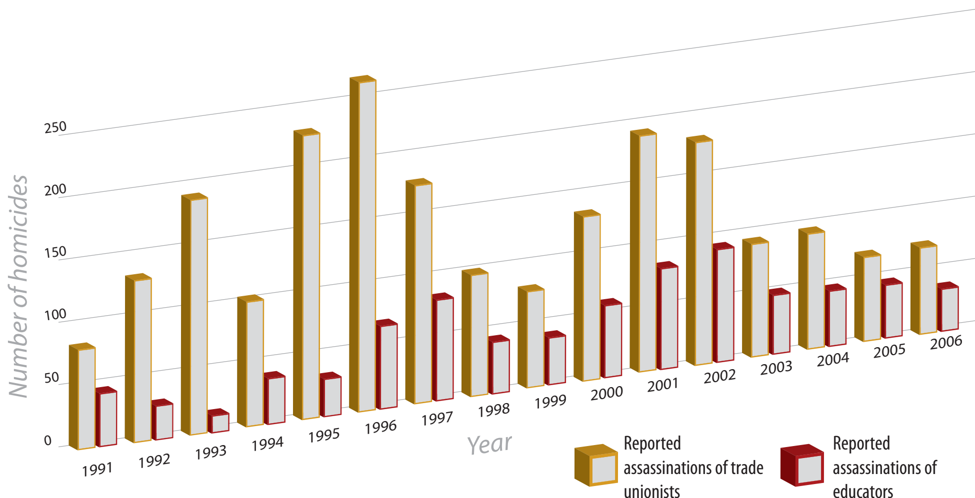
In 1998, under the Presidency of Andres Pastrana, Colombia became the biggest recipient of US aid via Plan Colombia, a multi-billion dollar, largely military aid package officially aimed at eliminating the drug trade. After a peace process with the FARC collapsed in 2002 the stage was set for an intensification of the conflict, and in 2002 Alvaro Uribe Vélez was elected on a mandate for a hard line military solution. Despite increased military operations, one of the central arguments of the Uribe administration has been that since coming to power it has managed to reduce the number of human rights violations against trade unionists. If we look at Figure 2 below, which compares both overall assassination of trade unionists (yellow) and educators (red) we can indeed see a decline in both categories since 2003.

However, for many respondents the decrease in murders of trade unionists can be attributed to a shift in the nature of the Colombian conflict since President Uribe came to power, rather than its resolution. For many in the trade union movement Uribe's election is interpreted as the coming to power of the paramilitary project in Colombia. Since then Uribe has negotiated a peace deal with the AUC (Autodefensas Unidas de Colombia), the biggest paramilitary grouping, which has led to a process of demobilisation under a 'Justice and Peace Law.[5]
For many in the trade union movement this does

[5] The law provides for reduced sentences for paramilitary human rights violations in return for sworn confessions. For a powerful critique see Amnesty International (2005) Colombia, The Paramilitaries in Medellín: Demobilization or Legalization? Amnesty International: London.

Figure 2 (Escuela Nacional Sindical, 2007)

1991-2006 Comparison between overall trade unionists and education sector trade unionists murdered in Colombia



not represent a 'peace process' because they believe that the paramilitaries were never at war with the state – but with the guerrillas. Instead they see it as a means to reintegrate – and to an extent 'rein-in' – the paramilitaries into the state. Regardless of the rights and wrongs of the demobilisation process, it does appear to have changed the dynamics of the conflict. Commentators have suggested that there is less need for direct paramilitary violence now as the forces behind them have effectively taken de-facto political control of many parts of the country (Romero, 2007).

This assertion is backed up by an ongoing political scandal in Colombia known as the 'parapolitica,' which has shown the links between politicians elected in 2001 who are supportive of Uribe, and the paramilitary organisations. These politicians are alleged to have signed 'the pact of Rialto,' a signed pledge committing themselves to the paramilitary project. Since then 14 members of the Colombian Congress, the Chief of the Secret Police, two Departmental Governors, six Mayors and 15 further politicians have all been arrested and accused of working with the paramilitaries. Furthermore, there has been a full senate parliamentary debate on the alleged direct links of the current Colombian President Alvaro Uribe Vélez to drug traffickers and paramilitary organisations. As a recent book on the subject has shown (Romero, 2007) the position that the Colombian state was an 'innocent' actor caught between two warring factions (paramilitaries and guerrillas) is no longer tenable:

> *The 'parapolitica' has demonstrated that the state was not a victim. It appears that an important section of national and regional elites with a decisive presence in the state – as high government functionaries or as members placed there by popular vote – have aligned themselves with paramilitaries and drug traffickers to consolidate their dominance in and outside the state and alter the political contest. In this business, in a very short time, they produced numbers of deaths and disappeared similar or superior to that of the Southern Cone in the 1970s and 1980s and*

unleashed a tide of displacement of the civilian population much bigger and more painful than any of those governments. (Romero, 2007:10)[6]

Furthermore, while the paramilitaries have consolidated political and economic power in many regions, a new paramilitary force, 'Las Aguilas Negras' (The Black Eagles), has emerged with very similar practices to the previous AUC, which threatens a new upsurge of political violence against trade union and social movements in Colombia.

Having laid out a brief history of recent political violence in Colombia, I now want to return to the particular case of political violence within the education sector.

[6] La parapolítica vino a demostrar que el Estado no era ninguna víctima. Resultó que una parte importante de las elites regionales y nacionales con una presencia decisiva en el Estado —ya como altos funcionarios del gobierno o como miembros destacados de los órganos de elección popular— se coaligaron con paramilitares y narcotraficantes para consolidar su predominio dentro y fuera del Estado y alterar la competencia política. En esa empresa produjeron en corto tiempo cifras de muertos y desparecidos similares o superiores a las dictaduras del Cono Sur en los años setenta y ochenta y desataron una ola de desplazamiento de la población civil más grande y dolorosa que la de aquellos gobiernos de facto.

Education and conflict in Colombia

The education system in Colombia has been affected in a range of direct and indirect ways by the ongoing armed conflict. Firstly, as a significant portion of state spending, education budgets have come under pressure from the government's need to cut costs to fund the armed conflict. Between 1991-2002 Colombian government military spending more than doubled from 1.7% of GDP to 3.6% (SIPRI, 2007). Meanwhile, spending on education has been far more erratic, reflecting skewed and changing priorities. Between 1994 and 1996 spending increased from 3.09% of GDP to 5.03%. By 1999 this had dropped to 2.74% in response to fiscal austerity measures (CCJ, 2004). Between 2000 and 2004 this increased from 3.6% to 5.1% (Corpoeducación, 2006). However, spending on education as a percentage of total government spending decreased from 16.9% to 11.7% between 1999 and 2004 (UNESCO, 2006:316).

Secondly, while progress has been made towards Education For All targets[7] (UNESCO statistics suggest that 87% of both boys and girls are in primary school), of those 13% of out of school children, many are children displaced by the armed conflict. Furthermore, as Tomasevski (2006:201) notes: "The scope of exclusion from education is not known because guesstimates of the size, structure and distribution of the population are based on the 1993 census." According to CODHES (2006), of the more than three million people who have been displaced due to the conflict in Colombia, over half are of school-attending age.

Thirdly, particularly in rural areas, many schools become directly embroiled in the conflict. The Colombian Commission of Jurists (2004:68) note that between 1996 and 2003, 71 schools suffered attacks

[7] Net primary enrolment increased from 69% in 1991 to 83% in 2004

by guerrillas, paramilitaries and state agents, often during combat between the different groups. In interviews several teachers mentioned how, particularly in rural areas, the military and police would often set up camp close to schools, in clear violation of International Humanitarian Law. Similarly, schools have often been used by the different armed groups as both a place to sleep and also to hold meetings in rural areas for the purpose of political propaganda.

Fourthly, students have been forcibly recruited from schools by both guerrilla and paramilitary groups. Human Rights Watch (2003) estimates that there are more than 11,000 child soldiers in Colombia. The Colombian military have also used schools as potential terrains for recruiting soldiers and informants. In Arauca, a recent campaign entitled 'Soldier for a Day' took children to military barracks where they could dress up in camouflage, learn about helicopters and armed cars (CCJ, 2004:64). Fifthly, the CCJ (ibid: 60) estimate that between 1996 and 2003, 186 students were murdered for socio-political reasons. Sixthly, in some areas teaching staff have come under pressure from local paramilitary organisations concerning the content of their classes (Cameron, 2001). Seventhly, events like the above have a strong psychological effect on both children and teachers experiencing such events and the CCJ (2004) estimates that since 1991 over 1,000 teachers have permanently left their jobs through fear of violence.

Finally, and I think particularly important for this study, is the relationship between conflict, education and neoliberal restructuring. While neoliberal restructuring within the education sector has taken place across the world, when it takes place in a zone of conflict it can have particular ramifications, as is the case in Colombia. When teachers and students challenge or resist measures of decentralisation, fiscal austerity, privatisation in Colombia – as others have done elsewhere – there is a tendency for the protest to become highly polarised and for leaders and activists to be targeted both by state and paramilitary forces as 'subversives'. In this sense, the major education trade unions become, during periods of neoliberal restructuring, easy targets of attack and liable to suffer human rights violations. Having laid out some of the factors linking education to the armed conflict in Colombia, in the next section I will explore the specificities of human rights violations against educators.

How are educators' human rights violated?

The facts and figures

As we can see from Table 1, between 1991 and 2006, 808 educators were assassinated, 2,015 received death threats, 21 were tortured, 59 were 'disappeared,' 1,008 were forced to leave their homes and jobs for fear of violence, and 161 were arbitrarily detained.[8] In this section I want to bring these rather abstract statistics to life through exploring the nature, rationales and effects of these human rights violations and providing some examples.

[8] The statistics cover members and advisers of FECODE, SINTRAUNICOL, ASPU, SENA and several smaller education-related unions. However, the vast majority of unionised education workers, and victims of human rights violations, are members of FECODE: hence in this report my focus is on them.

Assassinations

The violation of 'the right to life' remains an all too common form of political violence in Colombia, and increasingly teachers represent within the trade union movement a high proportion of its victims (see Figure 2). Precisely because of the clandestine nature of counterinsurgency strategy which both the paramilitaries and the Colombian military are implicated in, it is often difficult to know who carried out the murder and why. In Colombia it is estimated the 96% of murders are never solved and remain in impunity (CCJ, 2006). For this reason one can often only speculate on the likely authors (both actual and intellectual) and the motives. For some cases the murder occurs after a

Table 1 (Escuela Nacional Sindical, 2007)

Human rights violations (selected types) against educators (1991-2006)

Year	Murder	Death Threat	Arbitrary Detention	Disappearance	Forced Displacement	Torture
1991	44	2	0	1	0	3
1992	28	3	3	1	0	5
1993	14	0	0	3	0	0
1994	38	0	0	2	0	3
1995	31	1	0	4	0	4
1996	69	163	32	6	1	0
1997	84	285	10	1	261	0
1998	49	228	1	3	425	0
1999	39	365	6	3	26	0
2000	60	37	31	13	136	2
2001	84	49	7	7	26	0
2002	94	20	1	4	3	0
2003	49	212	7	3	89	0
2004	46	329	15	5	30	1
2005	44	186	44	1	8	1
2006	35	135	4	2	3	2
Total	**808**	**2015**	**161**	**59**	**1008**	**21**

series of death threats and thus can be linked to particular organisations. However, in many cases there is no clear evidence. In interviews it was clear that paramilitaries were seen as the main actor and that, while there were cases of guerrilla movements assassinating educators (particularly the FARC), they appeared less systematic and widespread. The rationale for this type of assassination can span from the need to eliminate particular educators and/or spread fear to deter others from engaging in trade union or political activity. Particularly in rural areas, where the status of the teacher is seen to be higher, this may also serve as a general warning to the population. One illustrative case of a paramilitary assassination was documented in a UNICEF sponsored book (Cameron, 2001) where a child witness noted:

> *Not long afterwards my teacher was killed. Some men wearing masks came into the classroom and shot him, right in the middle of our lessons. They didn't give him a chance to say anything. One of the masked men lifted our teacher's dead body by the back of his shirt and spoke to us. "This man had to die because he was teaching you bad ideas. We can kill all of you as well so don't get any bad ideas if you want to stay alive."*

As we can see from Figure 3 below, the patterns of assassinations are geographically uneven, with Antioquia representing the vast bulk of assassinations where 247 assassinations against educators took place (31% of total) between 1991-2007. Following on from that, there are five further departments with significant numbers of assassination victims: Córdoba (6%), Arauca (4%), Norte de Santander (4%), Valle (4%) and Nariño (4%).

In Figure 4, which groups the assassinations into three 5-year time periods (1992-1997; 1997-2002; 2002-2007) we can also note both temporal and regional variations. While Antioquia remains by far the worst region in all three periods, there is a significant drop in the number of assassinations between 2002-2007. In Cordoba we see a sharp increase in assassinations in the period 1997-2002 (from 13 to 23 assassinations). In Arauca there is a sharp increase in the number of assassinations during the 2002-2007 period. Similarly, in Valle del Cauca, Nariño, Cauca and Caldas there is an increase in assassinations of educators in both the 1997-2002 and the 2002-2007 period. As we will see below, these patterns reflect the geographical expansion of the paramilitary project during the period, spreading out from Antioquia across the country.

Figure 3 (Escuela Nacional Sindical, 2007)

Assassination of teacher trade unionists between 1991 and 2006 in Colombia

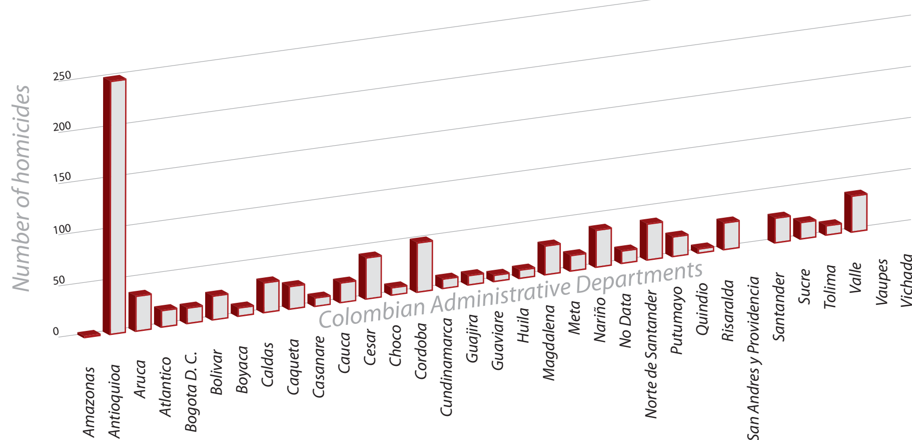
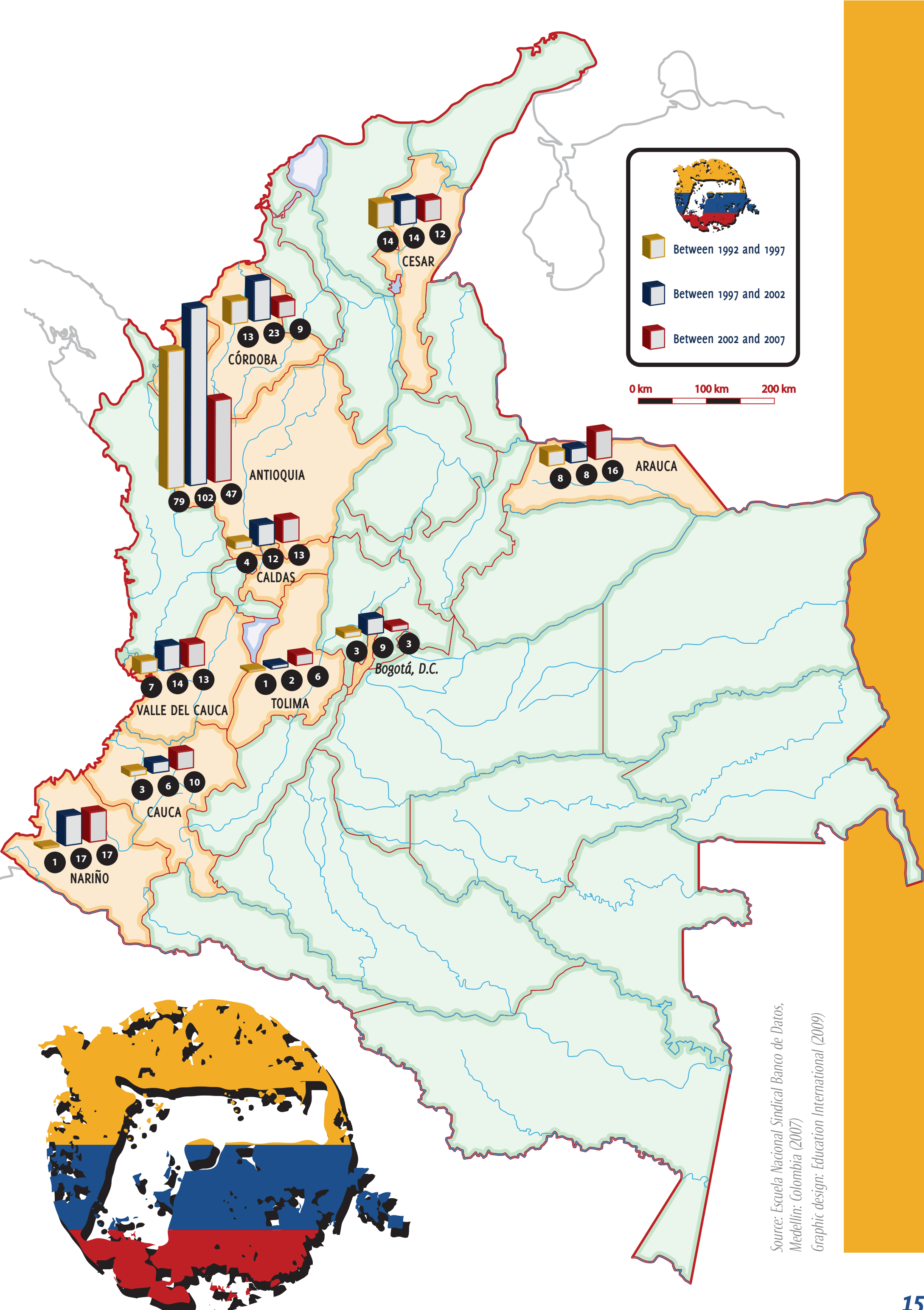


Figure 4

Homicides of education sector trade unionists in three periods



Source: Escuela Nacional Sindical Banco de Datos. Medellín: Colombia (2007)
Graphic design: Education International (2009)

Death threats

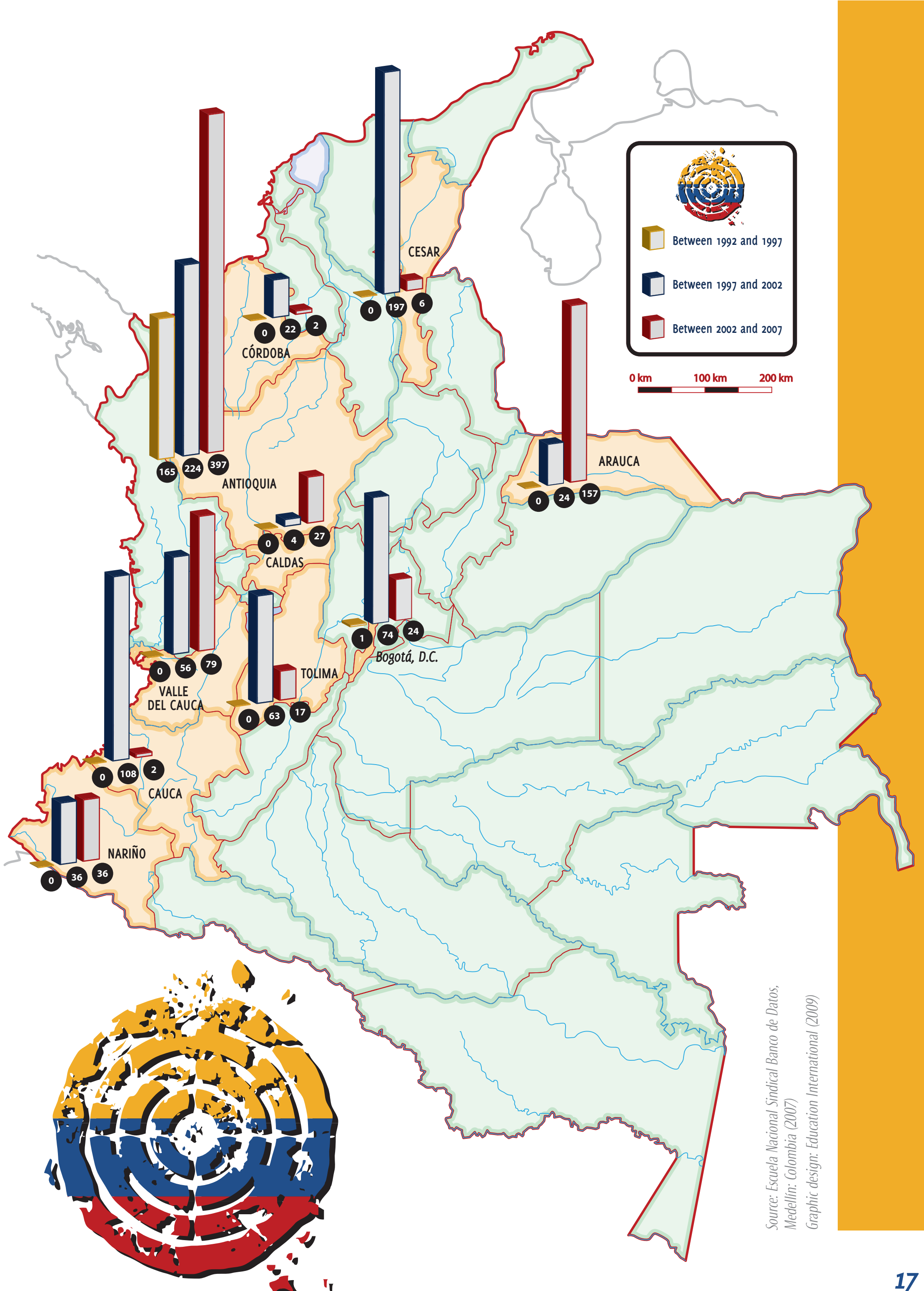
One of the most common methods of political violence used against Colombian educators is the death threat. This can take a variety of forms ranging from an anonymous telephone call notifying the person that they are on a 'military' list, a flyer sent to the trade union headquarters or the school with a list of names of targeted people accompanied by the logo of the particular paramilitary organisation, a tip-off from an anonymous caller warning the person that they are on a list, graffiti on walls, or a card known in Colombia as a 'sufragio.' This type of card would normally be sent to people as a form of condolence after the death of a relative, but in this case is sent to the victim pre-announcing their (or sometimes their children's or family members') future deaths.

In the most general sense, death threats serve as a warning to both the victim and others surrounding them (family and fellow trade unionists) that their trade union or political activity is dangerous and likely to result in a violent outcome. More generally it also serves to destabilize the trade union organisation, increasing levels of suspicion and fear among members and decreasing the likelihood of more people getting involved in trade union activities. In specific cases it is likely to be aimed at preventing certain activities by the victim. They might, for example, be a witness in a court case, have documentation on corruption, have been witness to a particular activity, or carrying out an activity that the organisation or individual sending the death threat seeks them to stop.

Regardless of the specifics of the particular case, once a direct death threat has been received that person's life is irreversibly changed in a range of ways: suddenly personal and family security become of paramount concern and all public movement becomes filled with fear and anxiety. This fear of attack begins to affect the victim's life forcing them to rethink their activities and responsibilities, often coming under pressure from family to stop their trade union and political activities. Depending on the perceived severity of the threat the person may choose to leave their city and move either internally or where possible emigrate, with all the consequences that entails. Clearly, the worst outcome is that the death threat is carried out, but its function is much more than the pre-announcement of imminent death and has powerful psychological effects. As we can see from the broader statistics it is the 'death threat' that has been a pervasive feature of political violence against educators throughout the period under study and remains today at very high levels.

As Figure 5 highlights, Antioquia once again is the location for a high proportion of death threats against educators. However, unlike in the earlier statistics on assassinations, the period between 2002-2007 actually saw a sharp increase in violations, from 224 reported cases to 397, reflecting the fact that the Uribe period represents shifts in the nature and type of human rights violations rather than their cessation. Figure 5 also shows the massive increase of death threats in the region of Cesar, moving from 0 reported cases between 1992-1997, to 197 between 1997 and 2002. Of similar importance is the increase in death threats in Arauca during the same period (2002-2007), which coincides with the Uribe government declaring the region a 'special rehabilitation zone' and increasing the militarisation of the region.

Figure 5
Death threats against education sector trade unionists in three periods



Source: Escuela Nacional Sindical Banco de Datos. Medellín: Colombia (2007)
Graphic design: Education International (2009)

Forced displacement

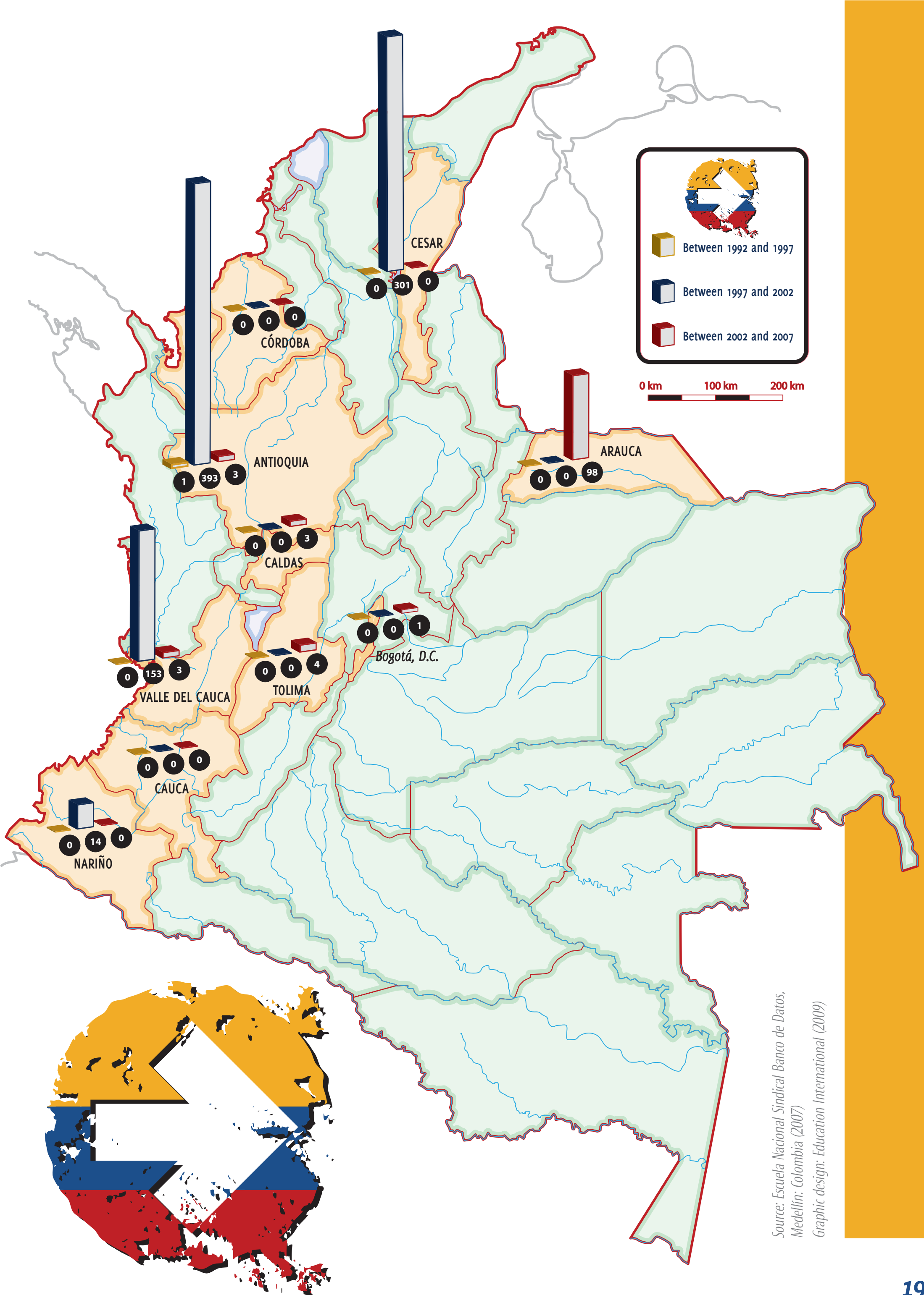
While forced displacement often emerges as a result of the receipt of a direct death threat, that is by no means the only cause. The extent of forced displacement in Colombia is so great that often whole communities are forced to flee their homes. In this case, teachers as members of rural communities are victims of the same type of human rights violations as others. The phenomenon of mass forced displacement can be attributed to a range of causal factors and is overwhelmingly a rural phenomenon. In the case of the black communities in the Valle de Cauca department it appears to have often resulted from a massacre, the vast majority carried out by right wing paramilitaries (often with Colombian military complicity), which then leads the rest of the village to flee in fear (Interview with PCN leader, 2007). Another major cause has been armed confrontation between the Colombian military and the guerrilla, or between the guerrilla and paramilitaries – or both, with similar consequences. In 2003, in the Department of Bolivar an estimated 12,000 children were unable to enter school because 125 schools had been closed due to teachers fleeing the fighting between armed groups (IPS, 2003). Accusations of collaboration with one side or another appear to have also led to mass displacements (Interview with FECODE leader, 2007).

In several interviews it was noted that teachers in rural areas become particularly prone to displacement through accusation of collaborating with one armed actor or another. In many rural areas schools are often the only possible public meeting place, and thus if an armed group enters the area the school is often used as a meeting place to spread their particular political propaganda. Later, educators become accused of collaborating with that particular force when a different armed group enters the village.

There are a number of explanations for forced displacement. Those incidents of mass forced displacement, particularly linked to massacres, have been overwhelmingly caused by right-wing paramilitaries and appear to be linked to interests relating to land control and ownership, drug routes, and natural resource control (Romero, 2007). Much of the forced displacement has occurred in areas of rich natural resources, and often where the most vulnerable and poor communities lived (indigenous and black communities). In these processes, displacement is the intentional outcome of terror tactics and seeks to secure land rights and strategic territorial control. In cases where there is armed confrontation between the different factions, then the displacement often appears as an unintended outcome of that conflict. As we can see from Figure 6 the major regions effected by forced displacement of educators were Antioquia, Cesar, Valle de Cauca during the 1997-2002 period, followed by a sharp decline in the following 2002-2007 period. This contrasts with Arauca, which saw a massive increase in displacements during the 2002-2007 period, reflecting the shifting nature and geography of the Colombian conflict.

Figure 6

Forced displacement of education sector trade unionists in three periods



Source: Escuela Nacional Sindical Banco de Datos. Medellín: Colombia (2007)
Graphic design: Education International (2009)

Arbitrary detention

Since the election of Alvaro Uribe Vélez, and the expansion of counter-guerrilla military operations, there has been a sharp increase in the militarisation of certain areas of the country and a linked rise in mass arrests and arbitrary detention. Educators have not been immune to this process. In the region of Arauca many teachers have been arbitrarily detained and accused of 'rebellion', which carries a potential life sentence. Often cases are dropped for lack of evidence, but by then teachers have been stigmatised as members of the insurgency, often lost their jobs and sometimes their homes and family.

One well-publicised case of arbitrary detention is that of Samuel Morales and Raquel Castro, who on 4 August 2004 were witnesses to the murder of three trade unionists by the Colombian military. After initially claiming that the murdered trade unionists were guerrillas and were killed in a shoot-out, the army was eventually forced to admit that it was responsible for the unprovoked murder of all three. Samuel and Raquel, both active educators and trade unionists, were later charged with rebellion although there were serious doubts about any evidence against them. Their case was taken up by Amnesty International as prisoners of conscience. Samuel was eventually released on 28 April 2007 and Raquel on 2 August 2007, having both served nearly three years in prison.

At its 5th World Congress held in Berlin in July 2007, Education International recognized Samuel and Raquel's courage and commitment by making them co-recipients of its highest honour: the Mary Hatwood Futrell Human and Trade Union Rights Award. "In honouring Raquel Castro and Samuel Morales, EI also honours the thousands of other teachers and trade unionists who have paid with their freedom and even with their lives for union principles, social justice and quality education for every Colombian child," said Thulas Nxesi, President of EI.

Although Raquel was still incarcerated, Samuel had already been released. However, the Colombian government refused to give him the exit visa required to travel to Germany to accept the award. In an email to colleagues and fellow human rights defenders, Samuel said he and Raquel wanted to share the award with them.

"This prize represents the sacrifice and strength of so many men and women who have given their lives and their teaching to the defence of fundamental rights. It is also a recognition of all those who have taught us and guided us in this difficult work," he wrote.

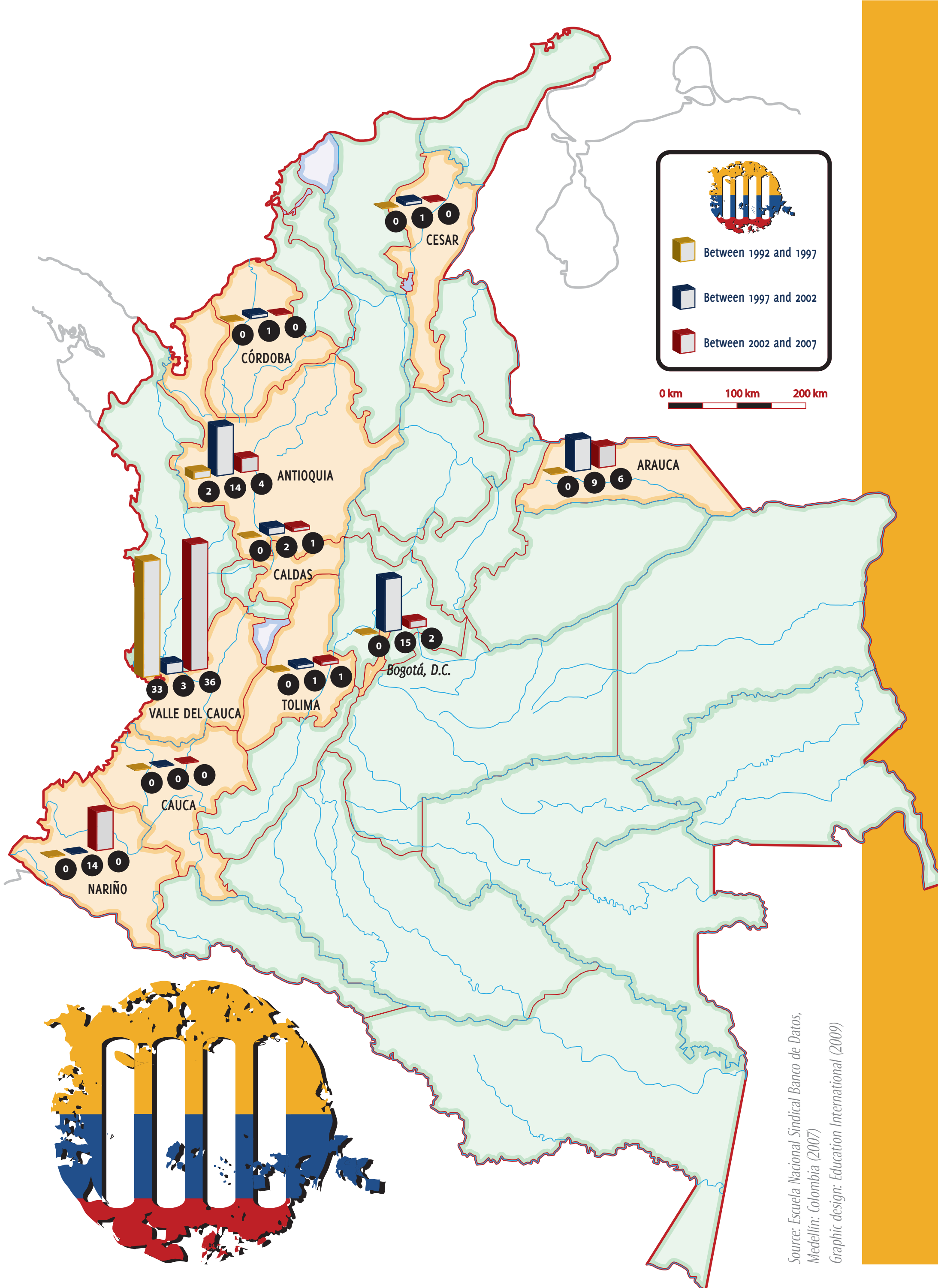
To this day, neither can return to their jobs, both have been displaced from their hometowns, and continue to live in fear of further 'legal' and 'illegal' persecution.

While there may well be some trade union and social leaders who are members of the armed guerrilla groups, this does not appear to be the case for the vast majority of teachers arbitrarily detained. So what then is the rationale for this type of violation?

Samuel Morales, on the day after his release, speculated on this from his temporary home in Bogotá. He noted that arbitrary detention displaces activists from their homes and political roots, often costs them their jobs, on occasions their families. Therefore for the state it serves as an effective mechanism to neutralize social and trade union activists, without incurring the wrath of the international community that would be produced by assassination, disappearances and torture (Interview with Samuel Morales, April 2007).

Figure 7

Arbitrary detention of education sector trade unionists in three periods



Source: Escuela Nacional Sindical Banco de Datos. Medellín: Colombia (2007)
Graphic design: Education International (2009)

Forced disappearances

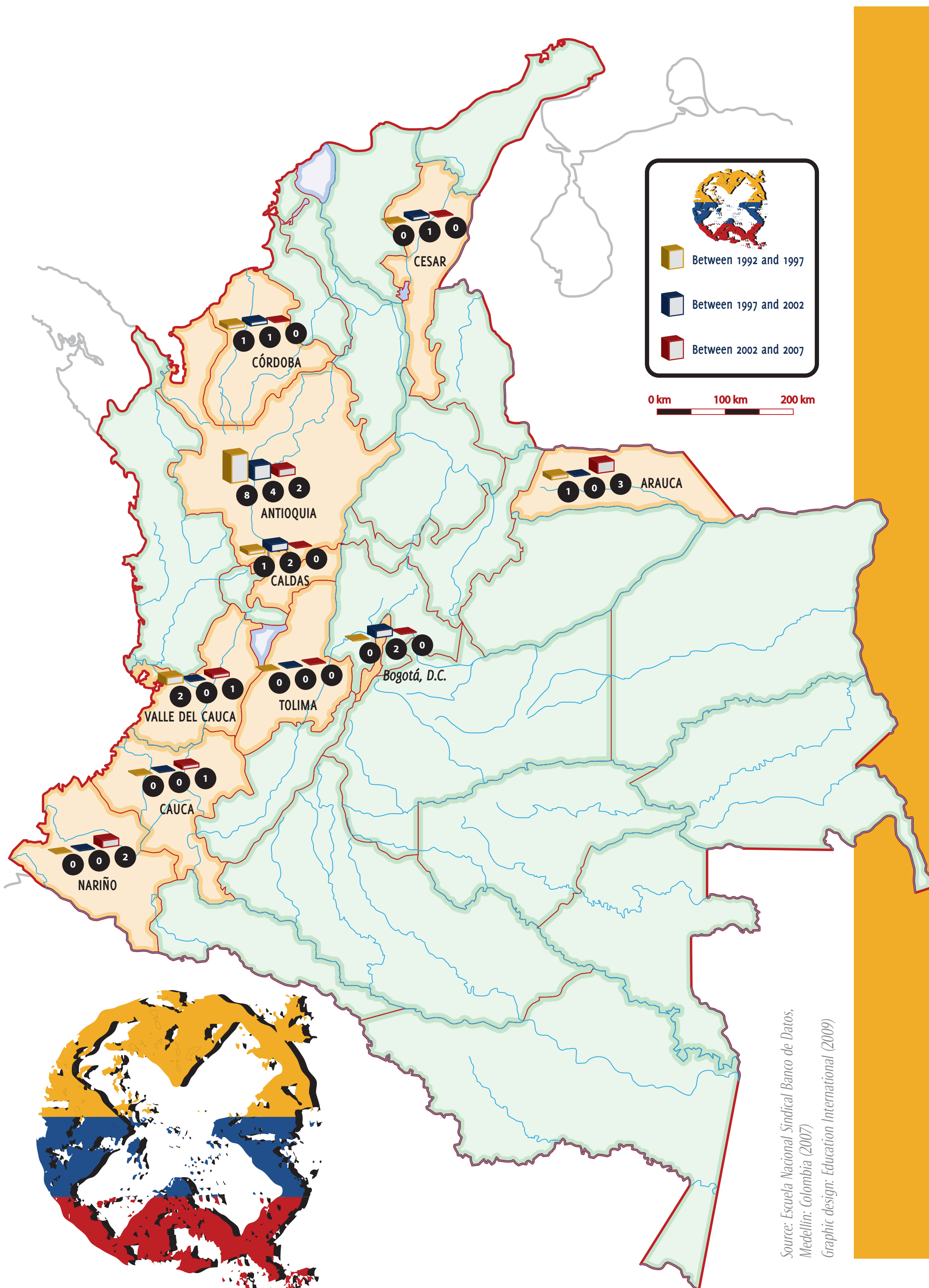
'Disappearances' became synonymous with the dark years of the military dictatorships in the Southern Cone (Chile, Argentina, Paraguay) and form part of the core techniques of counter-insurgency policy (McClintock, 1985). In Colombia, ASFAADES (the national committee for the families of the disappeared) estimates that over 7,000 people were disappeared in Colombia between 1982 and 2004 (ASFADDES, 2005[9]), the majority of whom were active in trade unions, student organisations and social movements. They also attribute the vast majority of disappearances to paramilitary organisations and/or state security forces.

According to ENS, between 1991 and 2006, 59 educators were disappeared. One of the most high profile disappearances in the education sector was that of Gilberto Agudelo Martínez, President of SINTRAUNCOL (Colombian University Workers Union). He was disappeared on 6 April, 2000 with paramilitaries later claiming responsibility (Amnesty International, 2001). Five years later, on 13 October 2005, after information was given by an AUC informant, his mutilated body was exhumed (ICFTU, 2006:117). The rationale for disappearances encompasses many of those explained earlier but has an extra impact in the fear and distress that it can cause family members not knowing where their loved ones are, or what has become of them.

9 Available at *http://www.asfaddes.org.co/fdocumentacion.htm*

Figure 8

Disappearances of education sector trade unionists in three periods



Source: Escuela Nacional Sindical Banco de Datos. Medellín: Colombia (2007)
Graphic design: Education International (2009)

Analysing the patterns of violence against educators

political violence against educators in Colombia is both widespread and has a long history, as we have seen above. However, it is not evenly distributed either in time or space. In Figure 9 we can see the combined totals of five key human rights violations during three time periods (1992-1997; 1997-2002; 2002-2007). What is most startling is the prevalence of Antioquia in all of the time periods. For many interviewees, Antioquia during the 1990s was seen as the laboratory for the new paramilitary project, which then spread outwards to other departments (O'Loingsigh, 2004; 2007), and for our purposes I think it important to elaborate in more detail on the situation of educators in the department of Antioquia.

In Antioquia the 'Convivir' law of 1994 was enthusiastically supported by the then Governor of Antioquia, Alvaro Uribe Vélez (1995-1997). During this period paramilitarism appears to move from regional private armies for landed elites concerned with guerrilla attacks to a national structure with close ties to the military. If we look at the statistics on human rights violations against educators from 1994 onwards in Antioquia we can clearly see the sharp rise in assassinations, forced displacement and death threats until 1996.

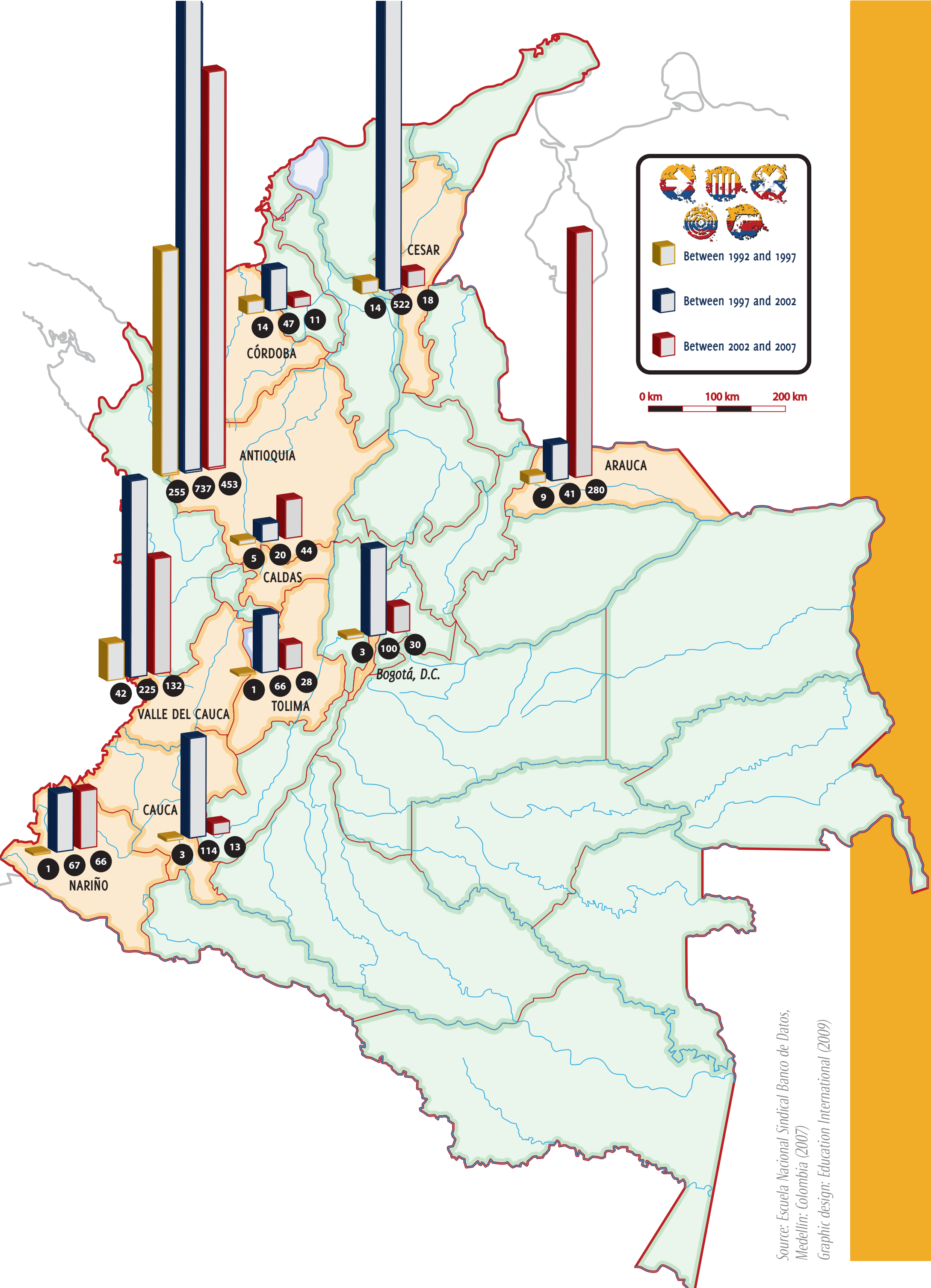
Specifically, in Figure 10 we can see a sharp increase in the number of human rights violations carried out against education sector trade unionists which follows the creation of the CONVIVIR. We can also note that in the post-2002 Uribe period, while assassination, displacement, disappearance and arbitrary detention are all declining, there is a marked increase in death threats.

Central to an explanation of these patterns is to understand the spread and trajectory of paramilitarism in the 1990s, and the ongoing execution of Plan Colombia, the massive US military aid package (Duncan, 2007; Romero, 2007). As we can see from Figure 9, during the second period (1997-2002) there have been large increases in human rights violations against educators in both Valle del Cauca and Cauca, and also Cesar. Valle del Cauca and Cauca were both regions where paramilitary organisations emerged in the late 1990s, and were also key strategic territories for Plan Colombia operations. Similarly, in the third period (2002-2007) we see a sharp increase of human rights violations in Arauca since it became designated as a 'special rehabilitation zone' under President Uribe's new Democratic Security Plan.

Having laid out a broad panorama of the nature and different types of human rights violations that Colombian education sector trade unionists are subjected to, I now want to explore what strategies have been developed over the years to address, mitigate or manage this situation of widespread human rights violations.

Figure 9

Sum of homicides, forced displacement, disappearances, death threats and arbitrary detention of education sector trade unionists in three periods



Source: Escuela Nacional Sindical Banco de Datos. Medellín: Colombia (2007)
Graphic design: Education International (2009)

What strategies have been developed to mitigate and manage the violence?

In response to the violence, a series of initiatives have been developed to address teacher insecurity, ranging from human rights training to the provision of special protection measures for threatened teachers. In this section I will provide an outline of some of these initiatives.

National legal and judicial protection measures

Due to sustained pressure from FECODE on the government to address the plight of threatened and displaced teachers, there have been a series of legal provisions regulating the situation. Decree 1707 of 1989, Decree 1645 of 1992, and Decree 3222 of 2003 allow threatened teachers to be relocated to different parts of the administrative department or if necessary to another department, without loss of earnings. Through these legal procedures Special Committees were set up in each Department to deal with death threats and displacement of teachers. The special committees are composed of representatives from the Ministry of Education, the Departmental Educational Authority, FECODE and the Regional Public Prosecutor or representative thereof. The committee is tasked with evaluating the level of risk of each individual case and providing temporary and permanent solutions to the situation, in accordance – as much as possible — with the wishes of the threatened teacher. Measures include funds to cover the cost of moving both family and belongings to the new location and special protection measures. They also involve the provision for inter-departmental agreements to allow teachers to move to a different Colombian department if necessary.

In 2003 this was further developed with the creation of the Working Group on the Human Rights of Teachers that includes FECODE, UNHCR and various Colombian state authorities that assess the risk of individual teachers, and provides administrative and financial support. To date, over 300 teachers have been beneficiaries of 'special protection measures' that range from mobile phones to armed bodyguards and bullet-proof vehicles. Table 2 highlights the type of measures provided.

Table 2

Protection Measures provided by the Committee for the Evaluation of Risks for Trade Unionists

No. of beneficiaries	302
No. of departments covered	28
No. of trade unions attended	33
Means of Protection	
Radio phones	33
Mobile phones	53
Protection schemes	22
National travel tickets	36
International travel tickets	17
Temporary relocation support	363
Support for moving	8
Other humanitarian assistance	2
Bulletproofing of union headquarters	10
Bullet-proof jackets	29

(Ministry of Interior and Justice, 2007)

There are, however, a range of ongoing disputes over the efficacy of these measures to protect teachers and a great lack of trust between education trade unions and Colombian authorities, according to an interview with a senior FECODE official in

2007. It was emphasized by many informants that neither the decrees to facilitate teacher mobility, nor the special protection measures were sufficient to fully protect threatened teachers, nor did they address the underlying roots of the violence directed at teachers. Furthermore, in many areas the committees were not functioning. However, of those interviewed, it was felt that these mechanisms were worthwhile but needed to be strengthened, and that the balance of decision-making power needed to shift in favour of the victims of these violations, and their representatives.

Setting up of human rights departments in each affiliate

During the 1990s, in response to the widespread human rights violations against teachers, FECODE began the process of setting up Human Rights Commissions in each of its affiliates in order to create a National Human Rights Network. The job of the human rights commission is to represent teachers in the Special Committee for threatened and displaced teachers; coordinate work with other NGO and human rights organisations at the local, departmental, national and international level; raise awareness of human rights violations against teachers, train representatives in the different areas of the department; maintain and manage a database of human rights statistics for their union, and raise awareness amongst teachers of human rights issues and mechanisms for their protection. (Interview with FECODE senior official, 2007)

This process was consolidated in 2004 through a Human Rights Training Programme[10] jointly supported by Education International, the National Education Association (NEA) from USA and FECODE. Three training manuals on Human Rights, International Humanitarian Law, and Conflict Resolution were produced and tailored to the needs of human rights activists within FECODE, and training was carried out across the country. The courses provided participants with a comprehensive understanding of the roots of the Colombian conflict, the history of human rights and international humanitarian law, and the skills and strategies to defend human rights locally, regionally, nationally and internationally, both through the Colombian courts and via mechanisms such as the Inter-American Human Rights Court of the Organisation of American States. Despite these advances, it was widely recognised that coordination and organisation within and between the different commissions needed to be strengthened and that there remains a lack of systematic work being carried out both regionally and nationally. Furthermore, the quality of the work being carried out by the different Human Rights Commissions of affiliate organisations was highly uneven, due both to lack of resources and experience, but also to the lack of priority given to human rights work by some affiliates. (Interview with FECODE senior official, 2007)

International involvement with the human rights movement

At the international level, the human rights department of FECODE has facilitated the involvement of major human rights organisations in the trade union's situation, and representatives of Amnesty International and Human Rights Watch have intervened several times. These organisations engage in lobbying, production and distribution of 'urgent actions', the compilation of reports on the human rights situation in the region and high level visits to representatives of the armed forces, the government and supranational organisations such as the United Nations Commission for Human Rights (UNCHR). The involvement of Amnesty and Human Rights Watch is understood discursively by the union's leaders as providing a cordon of protection within which they carry out their activities. These organisations have particular skills and abilities to influence governments by applying selective pressure and lobbying.

10 The full title of the project was "Prevención de la violación de derechos humanos en Colombia: Hacia una red nacional e internacional por la prevención, protección y defensa de los derechos humanos de las educadoras y educadores."

Closely related to this network is the role of the supranational labour and human rights bodies, such as the Inter-American Human Rights Court, that have the ability to sanction national governments for the failure to enforce and protect human rights. These organisations, the supranational equivalent of state labour and justice departments, have the power to sanction states rather than individuals.

FECODE, with the assistance of national human rights organisations, has taken several cases to the Inter-American Human Rights Court. One landmark case was that of the teacher and trade union leader Isidro Caballero. On 7 February 1989, Caballero and a friend named Carmen Santos were disappeared and subsequently murdered by members of the Colombian military in the Department of Santander. After an extensive investigation the Inter-American Human Rights Courts ruled on 21 December 1992 that the Colombian government was responsible for their murders and was ordered to pay compensation to the families of the victims (Comisión Andina de Juristas, Seccional Colombiana, 2004). This case is seen as an important milestone in the history of the Colombian human rights movement, as it highlighted not only the military's role in the killings, but also the attempts of a broad range of state functionaries and departments to cover up the case (ibid).

Two important events have occurred over recent years which signify that the situation of widespread human rights violations in Colombia is becoming more 'visible.' The first has been the setting up in 1996 of a United Nations High Commissioner for Human Rights in Colombia whose mandate is to monitor the human rights situation. The second is the creation of a Special ILO mission to Colombia which officially began in June 2007, and represents both a sanction, and international recognition of the seriousness of the situation in Colombia. Both of these are seen as political sanctions by the international community for the failure of the Colombian government to provide human rights protection to its citizens.

Despite several positive advances over recent years, both representatives of FECODE and several human rights leaders emphasized the need to improve the coordination with international organisations and the need to develop new contacts and links in a range of countries. Several interviewees also felt that the office of the United Nations High Commissioner for Human Rights in Colombia was not pressuring the Colombian government strongly enough.

Conclusions

Having laid out some of the strategies and developments over recent years, I now want to conclude by exploring the evidence of human rights violations and human rights defence strategies within the education sector and making some suggestions.

Firstly, what appears clear from interview evidence is that, while education sector trade unionists have been targeted by all armed actors in the Colombian conflict, it is the particular role of right-wing paramilitaries that has been the most prevalent and there are robust allegations pointing to their strong links with sections of the Colombian state.

Secondly, if this is indeed the case then it is the behaviour of the state and its paramilitary allies that primarily needs to be changed if we are to improve the human rights situation of Colombian educators.

Thirdly, the question then arises as to how state and para-state repression can be influenced. Sluka (2000) argues that there are two major theories of why states resort to mass political violence. The first is a 'structural-functional' explanation that argues that the state is essentially too weak to gain control and legitimacy, and therefore it uses violence as a necessity in order to maintain order and stability. The second is a 'power-conflict' theory which argues that states use violence because they are unafraid of the consequences, because of their strength and unchecked power, not "because the state is weak, but rather because they are strong and can get away with it" (Sluka, 2000:30).

The major international donors, and particularly the United States, appear to have taken the first approach and seek to strengthen the allegedly 'weak' Colombian state through assistance packages such as Plan Colombia. However, as we have seen, US assistance, on the contrary, appears to have contributed to the increase in human rights violations rather than to a decrease. Thus we need to consider seriously the second theory. In this analysis, the strategy to challenge widespread human rights violations is to increase the political cost of carrying out mass political violence for the Colombian state. It is through this prism that we can understand the strategies and tactics of education sector trade unions and the broader Colombian trade union and human rights movement, and this pressure needs to operate locally, nationally and internationally.

The strategy seeks to make 'visible' the widespread human rights violations taking place in Colombia. Many of the worst human rights violations take place away from the eyes of the cameras, in rural areas where events can be managed and manipulated. Letters of protest and 'urgent actions' sent by international organisations, solidarity networks and pressure on Colombian embassies can raise the international profile of violations, making them become visible, and increasing the opportunity costs of political violence. All of this pressure relies on Colombian trade unions and social movements to provide regular and well-documented evidence upon which campaigns can be based.

The effectiveness of this type of human rights work relies on the sensitivity of the Colombian government and its need to maintain international respectability. This appears intimately related to the need of nation states to be legitimated both domestically and internationally, and to be seen as an accepted member of the international community. This is reflected in the massive increase in state signatories to human rights agreements over the last four decades, which appears

important for the state not just on the international stage, but also for national public consumption. Finnemore & Sikkink (1998: 903) note that:

> *International legitimation is important insofar as it reacts back on a government's domestic basis of legitimation and consent and thus ultimately on its ability to stay in power. This dynamic was part of the explanation for regime transitions in South Africa, Latin America, and Southern Europe.*

In research on transnational advocacy movements, Keck & Sikkink (1998) talk about the 'boomerang effect' whereby channels for change are blocked at the national level and processes of transnational advocacy assist in mobilising external actors to pressure the state and therefore change its behaviour. This appears to be the rationale behind the international strategy of education sector and other trade union and human rights organisations in Colombia. This transnational civil society pressure appears to be an important variable in encouraging human rights compliance and this is where the international trade union and human rights community can really make a difference in supporting the human rights work of our Colombian colleagues.

What appears clear from the broader international community side is that the major international donors have been very slow to criticize the Colombian government for its appalling human rights record, and reluctant to exert their influence to modify its behaviour. Returning to Tomasevski's report on the right to education in Colombia, she notes that :

> *The failure of what we call 'the international community' to react when a government violates some human rights obligations easily becomes perceived as a licence to violate them all, as the case of Colombia illustrates clearly and painfully.* (Tomasevski, 2006:201)

This report has highlighted the devastating effect that this has had on education sector unions in Colombia and the broader impacts of the conflict on the education system. Education unions' in Colombia as representatives of teachers and as key institutions of civil society often come into conflict with other interest groups. This is the same in all countries; however, in Colombia it takes on an incredibly violent form. The task therefore is not to remove the conflict, which is a normal component of state/civil society relations, but to ensure that conflict is addressed through non-violent channels. In this there is a need to pressure all armed actors – state and non-state – to do this. It is also imperative for those groups attempting to promote change through peaceful means to be allowed to do so.

As is clear from this report, FECODE and the major education sector trade unions are vociferous participants in the governance of the education system in Colombia, and are active participants in the oppositional political scene. Remember – they are non-armed actors. If the international community of states and supranational institutions remains silent on the ongoing political violence against them, then they are complicit in these human rights crimes.

As members of the international education community and international trade union movement, it is important for us to build solidarity with our Colombian colleagues, and strengthen their attempts at making more visible the horrific human rights situation taking place in their country through disseminating and responding to Urgent Action letters and petitions; to assist them in both the financial and political support they need to defend the human rights of their members; to lobby and pressure our national and regional organisations (UN member states, the European Union) to increase the sanctions against the Colombian government and make it accountable for its crimes; to stop giving financial support to the Colombian military; and, most importantly, to prioritise improvements in the human rights situation in Colombia over

the interests of foreign-based corporations seeking investment opportunities. If we can begin to do those things more systematically, then we too can play a part in the struggle for human rights in Colombia in the spirit of the best traditions of internationalism that the trade union movement seeks to embody.

POSTSCRIPT (July 2009)

This report drew on data of human rights violations against education sector trade unionists between 1991-2006. In 2007 the situation did not improve and below is a list of the 24 educators who were tragically murdered that year. This represents 60% of the total number of trade unionists murdered in Colombia that year, and terrible testimony to the dangerous situation our colleagues in Colombia face. Let us join together to build a mass human rights campaign to ensure that these terrible statistics do not reproduce themselves in the years to come and that Colombian educators, workers and trade unionists can exercise their international human rights to struggle for a better world.

#	Name	Date	Place	Union
1	Jaime Vanegas Castellanos	14 Jan	Soledad, Atlantico department	ADEA - FECODE
2	María Teresa de Jesús Chicaiza Burbano	15 Jan	Ricaurte, Narino department	SIMANA - FECODE
3	Francisco Leonel Bedoya Burgos	15 Jan	Ricaurte, Narino department	SIMANA - FECODE
4	Arnoldo Enrique Campo Medina	29 Jan	Chiriguana, Cesar department	ADUCESAR - FECODE
5	Luis Fabián Moreno Marín	1 Feb	Pereira, Risaralda department	SER - FECODE
6	Alcira Tapia Muñoz	21 Mar	Popayan, Cauca department	ASOINCA - FECODE
7	María Teresa Silva Reyes	28 Mar	Santander de Quilichao, Cauca department	ASOINCA - FECODE
8	José Jaime Rojas	19 Apr	Bogota	ADE - FECODE
9	Miguel Angel Macías Guaca	22 Apr	Caldono, Cauca department	ASOINCA - FECODE
10	Rafael Ramón Madrid Vega	11 May	Sahagun, Cordoba department	ADEMACOR - FECODE
11	Bernarda Zúñiga Imbachi	21 May	Buenos Aires, Cauca department	ASOINCA - FECODE
12	Luis Alfonso Calderón Villamizar	9 June	Cucuta, Norte de Santander department	ASINORT - FECODE
13	Marleny Berrio de Rodríguez	11 June	San Vicente, Caqueta department	AICA - FECODE
14	Julio César Gómez Cano	23 June	Medellín, Antioquia department	ADIDA - FECODE
15	Jesús María Villafane Míllan	10 Aug	Palmira, Valle department	SUTEV - FECODE
16	Andrés Escobar Escobar	10 Aug	Valledupar, Cesar department	ADUCESAR - FECODE
17	Augusto Ramírez Atehortua	6 Sep	Guarne, Antioquia department	ADIDA - FECODE
18	Jairo Alberto Valencia Correa	12 Sep	Medellín, Antioquia department	ADIDA - FECODE
19	Rosalino Palacios Mosquera	19 Sep	Bello, Antioquia department	ADIDA - FECODE
20	Luis Fernando Gómez Valencia	21 Oct	San Jose del Guaviare, Guaviare department	ADEG - FECODE
21	Alexis Arango	31 Oct	Cali, Valle department	SUTEV - FECODE
22	Léonidas Silva Castro	2 Nov	Villacaro, Norte de Santander department	ASINORT - FECODE
23	Mercedes Consuelo Restrepo Campo	7 Nov	Cartago, Valle department	SUTEV - FECODE
24	Luis Alberto Torres Ochoa	7 Dec	La Dorada, Caldas department	EDUCAL - FECODE

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