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COLOMBIA

Murder in Colombia prompts group to sue Nestlé units in Miami

The widow of a brutally murdered Nestlé worker joins others in a lawsuit against the firm over her husband's death.

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Colombian trade unionist Luciano Enrique Romero died a slow death. The fired Nestlé factory worker, whose body was found in a paramilitary-controlled area of Colombia a year ago, was tied up, tortured and then stabbed 40 times.

Now Romero's widow, Colombian labor union SINALTRAINAL and the Washington-based International Labor Rights Fund have filed a lawsuit in Miami charging Nestlé USA and Nestlé of Colombia with complicity in his death.

Nestlé USA, headquartered in Glendale, Calif., said in response to questions Friday: "We have not been served with a copy of the lawsuit, and therefore we have no comment at this time." The company is a wholly owned subsidiary of Switzerland-based Nestlé SA, the largest food and beverage company in the world.

The lawsuit, filed Wednesday in federal court, charges that Romero was killed by members of Colombia's paramilitary United Self-Defense Forces because the union leader helped expose Nestlé's use of expired milk in its Milo brand drink. The Colombian government later confirmed the 2001 allegations, the lawsuit said.

Nestlé operated in complicity with the paramilitary; plant managers met openly with them inside the factory in Valledupar, in northern Colombia, the lawsuit said.

In October 2002, Nestlé fired Romero, a 20-year veteran. Romero also received numerous death threats, and two years ago he fled to Spain, where the Organization of American States International Committee on Human Rights placed him under a protection program.

Romero returned to Colombia in early 2005 and filed a wrongful termination lawsuit against Nestlé. About a month later his body was found in Las Palmas, the lawsuit said.

"I spoke with him a few days before the killing," said Javier Correa, president of SINALTRAINAL, which represents workers at food and beverage firms. "They killed him slowly by stabbing him 40 times. It was a crime to spark terror and fear among labor union members."

Correa said several paramilitary members were charged in the killing, but they are currently in military-protected camps and could potentially be eligible for amnesty under a new law.

The lawsuit said the plaintiffs could not count on the legal system in Colombia.

The suit was brought under the Torture Victim Protection Act and the Alien Tort Statute, which allows foreigners or aliens to sue in U.S. courts on issues of internationally recognized human rights violations.

"The track record of these cases is actually very good," said Terry Collingsworth, of the International Labor Rights Fund. The Fort Lauderdale law firm Conrad & Scherer is also handling the case. He added that there is solid jurisdiction because Nestlé is importing products through Miami.

Human rights reports have detailed the assassinations of 4,000 members of Colombia's largest trade union confederation over the past two decades.

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

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