

New York City Fact-Finding Delegation on Coca-Cola in Colombia

Hon. Hiram Monserrate Councilman City of N.Y. 250 Broadway New York NY 10007, 212-788-6862 monserrate@council.nyc.ny.us

January 22, 2004

Douglas N. Daft
Chairman & CEO
The Coca Cola Company
One Coca Cola Plaza
Atlanta, GA 30313

Appendix E

Dear Mr. Daft;

As you are aware from our conversation at the offices of the City Council of New York, we are extremely concerned about the allegations of human rights abuses suffered by Coca-Cola workers in Colombia. As previously stated, we are committed to conducting a full investigation of such allegations.

We have, in fact, just returned from the first investigative delegation to Colombia, in which we spent ten days listening to testimony and gathering documentation. You are, of course, also aware that we met with Juan Carlos Dominguez and Juan Manuel Alvaragas in your Colombia headquarters in Bogota on January 13th, 2004. We appreciated this chance to continue our dialogue, and would like to respond to some of your statements and ask for further clarification.

We would like to follow up after that meeting by requesting information pertaining to Femsa/Coca-Cola's communication with the Colombian government reporting the human rights violations of its workers either in or outside of its plants. During our meetings, you stated that your internal documentation would be made available to us. Specifically, we would like to ascertain the following:

- Who was responsible for the reporting of this information and the outcome of each case
- The evidence of your internal investigations into these incidents
- Pertinent government documents. (Colombian legal and human rights experts have informed us that most government documentation is available to the public.)

In regards to the possibility of payments to paramilitaries by an unauthorized company representative, U.S. government policy states that U.S. businesses must not do business with known terrorist organizations. We are sure that Coca-Cola, as a responsible business, has made every effort to follow this policy. We are asking to see what specific efforts were made to investigate this possibility.

As U.S. citizens, we are very concerned about the chilling effect of a company such as Panamco/ Femsa/ Coca-Cola filing charges against workers who have used our legal system to

address their grievances. We are particularly disturbed by the statement of your legal representative, Juan Carlos Dominguez, that the criminal charges filed in Colombia against all plaintiffs in the lawsuit filed in Miami are a "consequence" to the lawsuit and their public acknowledgement of participation in the case. This use of a criminal charge against workers is inappropriate and appears to be in retaliation against workers for exercising their right to access the courts. We strongly encourage Coca-Cola to drop this criminal case against all plaintiffs in the lawsuit in U.S. courts as a sign of good faith on the part of Panamco/ Femsa/ Coca Cola.

Finally, in light of multiple allegations and the seriousness of events, we believe that there should be an independent human rights commission established to evaluate the events. We would be willing to facilitate the formation of this independent human rights commission, composed of representatives from the company, the unions and independent international human rights experts.

Please let us know of your willingness towards such an endeavor, and we thank you for your prompt response.

Sincerely,

Hiram Monserrate

Hon. Councilman Hiram Monserrate, City Council of New York
Jose Schiffino, Committee for Social Justice in Colombia
Segundo Pantoja, Professional Staff Congress- City University of New York
Dorothee Benz, Communication Workers of America Local 1180
Lenore Palladino, United Students Against Sweatshops

CC: Perry Cutshall, Vice President and Director, Field Support
Rudy Beserra, Vice President of Latin Affairs
Juan Carlos Dominguez
Juan Manuel Alvaragas
Deval L. Patrick, Executive Vice President & General Counsel