

Earth Rights International (ERI) Launches New Lawsuit Against Chiquita for Funding, Arming, and Supporting Colombian Terrorists

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First Class Action to Challenge Multinational Fruit Company's Illegal Practice of *Supporting Brutal Paramilitary Death Squads to Maintain Profits*

Today, Colombian families represented by EarthRights International (ERI), together with the Colombian Institute of International Law (CIIL), Judith Brown Chomsky, and Schonbrun DeSimone Seplow Harris & Hoffman LLP (SDSHH), filed a federal class-action lawsuit charging Chiquita Brands International, Inc., the multi-national produce company, with funding and arming known terrorist organizations in Colombia in order to maintain its profitable control of Colombia's banana growing regions starting in the mid-1990s. Chiquita's payments to these paramilitary groups, including the United Self-Defense Committees of Colombia (Autodefensorias Unidas de Colombia, or AUC) and its predecessors, were reviewed and approved by senior executives of the corporation, and resulted in the targeted killings of hundreds or thousands of individuals, including trade unionists, banana workers, and political organizers. The case is brought on behalf of relatives of the deceased and has been filed in the United States District Court for the District of New Jersey.

"To promote its business operations, Chiquita funneled money and guns to a terrorist group that murdered thousands of people and shipped untold amounts of cocaine to the United States," said Marco Simons, ERI's Legal Director. *"Now, the victims are demanding some measure of accountability from Chiquita for its egregious behavior."*

In March of this year, Chiquita pled guilty to federal criminal charges for making more than 100 payments, totaling more than \$1.7 million, to the AUC, which has been designated as a Foreign Terrorist Organization by the U.S. government. Chiquita paid a \$25 million fine.

The complaint, brought under the [Alien Tort Claims Act](#), asserts that Chiquita's involvement violates not only Colombian law and U.S. law, but also international law prohibiting crimes against humanity, extrajudicial killing, torture, war crimes, and other abuses. The case seeks unspecified damages; because it is being brought as a class action, damages could be awarded to each victim of the paramilitaries supported by Chiquita, which is likely to amount to millions of dollars each to hundreds or thousands of families.

Among the plaintiffs, who must remain anonymous for fear of reprisals, is Jane Doe 1, the daughter of a community activist, Jane Doe 2, who was involved in a range of civic and social activities in Uraba region of Colombia where she lived with her family. Jane Doe 2 indicated that she was afraid she would be killed for her activities. Approximately one week later, AUC paramilitaries arrived at Jane Doe 2's house and executed her in front of her family. Subsequently, the family of Jane Doe 2, including Jane Doe 1, fled their community in fear.

"The AUC is made up of the most brutal death squads that Latin America has seen since the dirty wars in El Salvador and Argentina," said Arturo Carrillo, a Colombian-American lawyer with CIIL, who has worked on human rights issues in Colombia for over fifteen years. *"In addition to colluding with Chiquita to exercise territorial control over the banana growing region, the AUC have been among the most active drug traffickers in Colombia since the mid-1990s."* Carrillo and

ERI are joined by experienced litigators Judith Brown Chomsky of Philadelphia and SDSHH partner Paul Hoffman of Venice, California, who have prosecuted numerous human rights cases such as Doe v. Unocal, which was brought to a successful settlement in 2005.

Fuente:

Earth Rights International, 2007. *Earth Rights International (ERI) Launches New LawsUIT Against Chiquita for Funding, Arming, and Supporting Colombian Terrorists*. En línea, disponible en: <http://www.earthrights.org/legal/eri-launches-new-lawsuit-against-chiquita-funding-arming-and-supporting-colombian-terrorists>. Consultado por PCS: 4 de marzo de 2011.