

Swiss documentary “Contre Nestlé jusqu’à la mort”

Vevey, 28 February 2013 - Faced with the very serious accusation of homicide by negligence brought against five senior Nestlé executives, we are shocked that Swiss public television is trying to manipulate public opinion to such an extent and attempting to influence the course of justice in Switzerland.

Furthermore, the accusations of the president of Sinaltrainal and his lawyer concerning the alleged existence of a determined and systematic strategy by Nestlé to eliminate 15 trade unionists are completely unacceptable and we will defend our rights in the Colombian courts.

Luciano Romero was dismissed from CICOLAC LTDA, a Nestlé milk processing operation in Valledupar, Colombia in 2002 following illegal action in a labour dispute. In 2003, all CICOLAC workers, with the exception of one (still employed today), accepted the company's voluntary retirement plan. Mr. Romero was murdered in September 2005, three years after he stopped working for the company and was no longer a union leader.

At the time, violence in Colombia was widespread; it affected trade union leaders, members of our local management team, other employees and their relatives. Nestlé provided security measures to Sinaltrainal union leaders, including temporary relocation, and increased security at their homes and at the union headquarters. These measures were not designed to replace the state's obligation to protect them, but the union often rejected the offer of protection, arguing that the protection of their leaders was the responsibility of the Colombian government.

The murder of Mr. Romero was investigated and prosecuted by the courts of Colombia. Those found guilty were imprisoned. Sinaltrainal has attempted to blame Nestlé for this homicide in other jurisdictions including a US Federal Court in Florida. In all cases, neither Nestlé nor any of its executives were charged, indicted or convicted of any action or omission that could make any of them responsible, complicit or in any way involved in the murder of Mr. Romero. Sinaltrainal has also tried to insinuate linkages between our subsidiaries and paramilitary groups, none of which were substantiated, and all of which we have always categorically rejected.

In the Philippines, the company had to dismiss 617 workers in February 2002, subsequent to an illegal strike. The local trade union contested this dismissal for years, but the Philippines Supreme Court consistently confirmed the illegality of the strike and the rightfulness of the dismissal, and it absolved the company of any unfair labour practices. These crucial decisions of the Supreme Court are not properly reflected in the RTS documentary. Instead, the filmmakers try to align facts, allegations and company positions in a way that implies undue influence on authorities and persecution of trade union leaders, including the murder of Diosdado Fortuna in 2005, several years after he left the company.

The security and safety of all our employees are Nestlé's top priority. Freedom of association and the respect of human rights are firmly enshrined in all our corporate policies. In Colombia and the Philippines, the level of unionisation at Nestlé factories is five to 10 times the national average.