

STUDENTS DENOUNCE NYU'S LIFTING OF BAN ON COCA-COLA PRODUCTS

Students Charge NYU with Putting Financial Relationship with Coke above Human Rights, Misrepresenting Coke's Refusal to Allow an Investigation, and Disregarding the Student Body

In December 2005, the New York University Senate voted to ban the sale of Coca-Cola products at NYU. The ban was enacted out of concern for Coke's role in the assassinations of eight members of the union SINALTRAINAL who worked at Coke's bottling plants in Colombia, and Coke's refusal to allow an independent investigation into these killings. The assassinations took place while Coke was in contract negotiations with the union. SINALTRAINAL activists continue to receive death threats. On February 5, 2009 the NYU Senate voted by a margin of 28-22 to lift the Coke ban.

"NYU made a promise to these Colombian workers and they broke that promise," said Jeff Olshansky, the co-chair of NYU Law Students for Economic Justice and one of the principal organizers working to keep the Coke ban. "NYU decided to put their financial relationship with Coke above human rights."

The vote came the day after former Colombian Coke bottling plant worker and union activist Luís Adolfo Cardona spoke at NYU. Cardona testified to the relationship he observed between paramilitaries and Coke officials, and how he was kidnapped by paramilitaries and escaped. Cardona spoke graphically about the assassination of his co-worker Isidro Segundo Gil. Gil was killed inside a Coke plant on the morning of the day when Gil was to serve as the union's chief negotiator in contract negotiations with Coca-Cola's subsidiary. Cardona spoke about holding Gil in his hands and realizing his head had been blown apart.

At the February 5 Senate meeting, Senator Caitlin Boehne, an NYU College of Arts and Sciences student and one of the principal organizers working to keep the Coke ban, read a letter from Cardona to the Senate. The letter recounted Cardona's experiences and cited university support as the reason that SINALTRAINAL has not been completely obliterated. "Some of the senators tried to stop me from reading the letter," said Boehne. "It was clear that those against the ban already had their minds made up and did not want to face up to the effect that this decision has on people's lives."

NYU's decision goes against the trend of an increasing number of universities banning Coke. When the NYU ban was instituted in 2005, it became the twelfth university to ban Coke. Today over 50 universities have done so. Universities have enacted bans on Coke for the Colombian assassinations as well as for human rights and environmental abuses elsewhere including the environmental derogation Coke has caused in India that made the local drinking water supply undrinkable and deprived farmers of needed water.

NYU's Financial Relationship with Coke

While NYU has not disclosed the extent of its financial relationship with Coke, it is clear that this relationship is responsible for the ban's rescission. Administrators have stated that Coke has withheld a considerable amount of money from the athletics department in response to the ban. One senator who advocated that the ban be lifted in the February 5 meeting cited concerns that student baseball players were no longer able to go on field trips due to this lack of funds.

The athletic money is not the only tie that Coke has to NYU. Coke's name is printed on multiple NYU buildings. Barry Diller, a board member for Coca-Cola, is a member of NYU's Board of Trustees.

Misrepresenting Coke's Refusal to Allow an Investigation

The 2005 ban called on Coke to allow an independent investigation into the Colombian assassinations. NYU and other universities specifically proposed an investigation by the Workers Rights Consortium, a monitoring body with over 185 affiliated universities including NYU, which developed a detailed protocol for an investigation, which it remains willing to conduct. But Coke refused to allow an independent investigation into the assassinations and continues to do so.

Last year Coke told NYU that they had agreed to an investigation into the assassinations to be conducted by the International Labor Organization (ILO) of the UN. Last year Arthur Tannenbaum, chair of the University Senate's Public Affairs Committee, introduced a resolution to the NYU Senate to rescind the ban. However that resolution was defeated based largely on concerns that the Coke handpicked the ILO, maintains significant ties to the ILO, and the investigation had not actually occurred.

In October 2008, the ILO released the report that Coke referred to, but it did not address the assassinations at all; it merely assessed certain current working conditions. The ILO team that visited Colombia never spoke with witnesses or took any steps to investigate Coca-Cola's complicity in the assassinations. Yet the resolution that passed on February 5, also introduced by Tannenbaum, stated that "insofar as feasible, the terms of the 2005 resolution have been met."

"Coke's refusal to permit an investigation into the assassinations does not make such an investigation unfeasible," said Boehne, "Coke simply did not comply with the conditions of NYU's 2005 resolution. The only authority cited as saying that Coke had permitted an investigation was Coke itself. The ILO never set out to investigate these assassinations. It's clear that Coke is misleading NYU. In rewarding Coke for this behavior, the Senate seriously undermines its credibility."

"NYU could have passed a resolution simply rescinding the ban," said Olshansky. "But they chose to falsely assert that Coke had complied with the 2005 resolution. Coke will now promote NYU's decision in urging other universities to follow suit. Coke will use NYU to improve its image without changing its practices. This decision suggests that the University's reputation is for sale."

Disregarding the Student Body

The Student Council of The College of Arts and Sciences (NYU's largest school with some 6,000 students) recently held a forum with presentations by both students in favor of lifting the ban and those in favor of keeping the ban. After the forum, the Council voted 21-5 in favor of maintaining the ban. A similar forum was held by the Student Council of NYU's Gallatin School of Individualized Study, resulting in a 11-2 vote in favor of maintaining the ban. Seven student organizations in the NYU School of Law have advocated maintaining the ban over the last year, while none have come out in opposition. While NYU students make up a great majority of the NYU community, students only hold 22 of the over 80 University Senate Seats.

The NYU Coke ban came about as a result of a significant student organizing effort. Before the University Senate voted to enact the ban, a proposal to ban Coke was passed by the university-wide student senate ("The University Committee on Student Life") by a vote of 16 to 4.

"Many in the administration never wanted the Coke ban," said Erin Keskeny an NYU alumna and one of the principal organizers in the original campaign to get Coke off campus. "Student representatives voted overwhelmingly to ban Coca-Cola in 2004; they passed a strong resolution with clear requirements for Coke to meet. It took us more than a year to get a watered down version of that resolution passed by the All University Senate. And now they have failed to uphold their own resolution." Students are now planning next steps in how to get back the ban on Coca-Cola products until the company agrees to true accountability for its practices.