



ethecon Foundation Ethics & Economy
Stiftung Ethik & Ökonomie Fundación Ética & Economía

ethecon Dossier

english german french spanish version

International ethecon Black Planet Award 2016 to Warren Buffett and Herbert A. Allen (major shareholders) as well as to Muhtar Kent and James Quincey (executives) / Beverage Company COCA COLA (USA)



Herbert A. Allen/Major Shareholder



Warren Buffett/Major Shareholder



James Quincey/Executive

Muhtar Kent/Executive

Cover picture

The cover shows the persons who are named and shamed with the International ethecon Black Planet Award 2016: Warren Buffett (major shareholder of COCA COLA, USA), Herbert Allen (major shareholder of COCA COLA, USA), Muhtar Kent (Chairman of the Board of COCA COLA, USA) and James Quincey (President of COCA COLA, USA).

About this Dossier

This dossier was published for the first time on the occasion of the naming and shaming of Muhtar Kent and James Quincey (board members of COCA COLA, USA) as well as Warren Buffett and Herbert Allen (major shareholders of COCA COLA, USA), when they were awarded with the International ethecon Black Planet Award 2016 by ethecon – Foundation Ethics & Economy on November 19th, 2016, in Berlin after the denouncing on September 21st, 2016.

After the awarding of the above mentioned persons with the International ethecon Black Planet Award 2016 on November 19th, 2016 in Berlin, this dossier is being published in an extended edition containing the diatribe given by Werner Rätz from the attac/Germany and the statement of Ray Rogers from Killer COKE/USA.

With adequate profit, capital is very bold.
A certain 10 percent will ensure its employment anywhere;
20 percent certain will produce eagerness;
50 percent, positive audacity;
100 percent will make it ready to trample on all human laws;
300 percent, and there is not a crime
at which it will scruple, nor a risk it will not run,
even to the chance of its owner being hanged.

Thomas J. Dunning
Economist and trade unionist (1799 - 1873)
published in the Quarterly Review
London 1860





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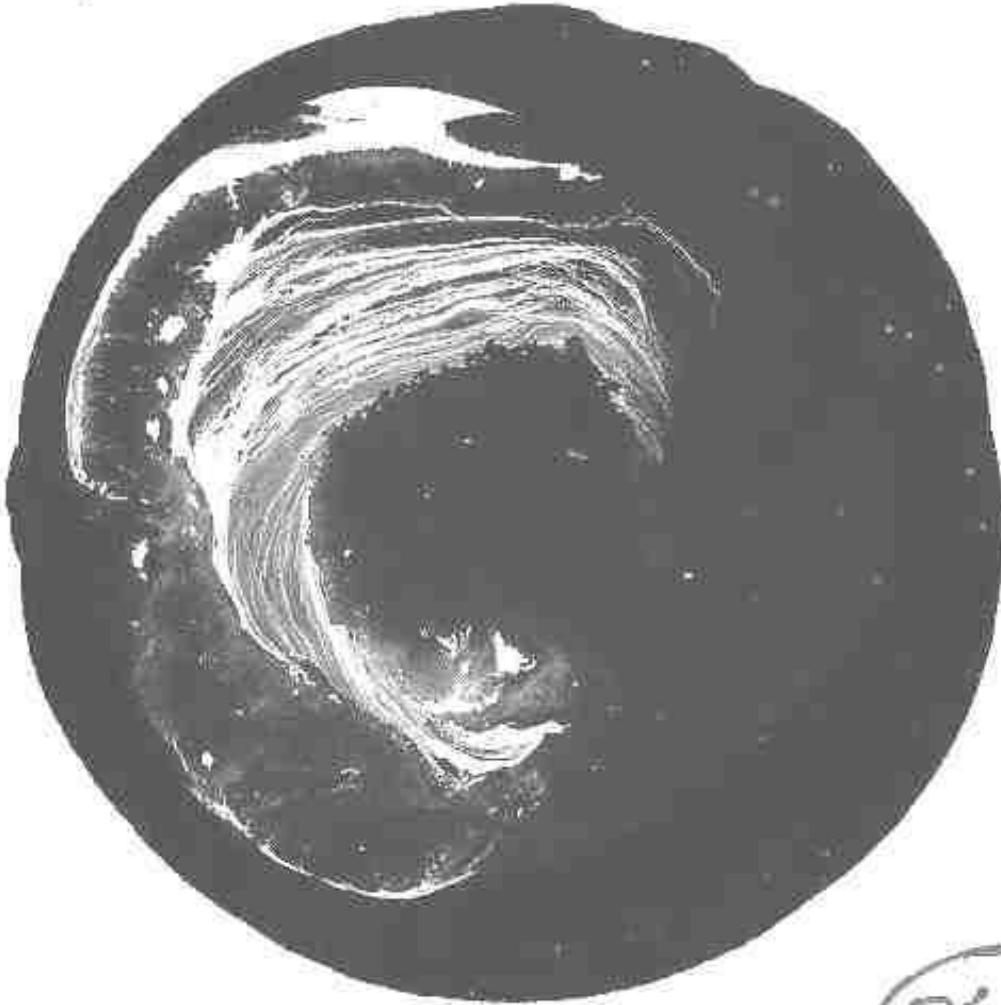
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Piense

¡El planeta azul debe mantenerse verde!

Keep the Blue Planet green!

Der Blaue Planet soll grün bleiben!

International ethecon Black Planet Award 2016
to Waren Buffett and Herbert Allen (major shareholders)
as well as Muhtar Kent and James Quincey (executives)
of the beverage corporation COCA COLA (USA)

Figure page 3

The picture shows the „Blue Planet“ by Otto Piene who died in 2014. This artwork was the base of the cooperation between the world-famous ZERO artist and the foundation ethecon since 2005 with the International ethecon Blue Planet Project. This project is still active and includes for example the annual presentation of two international awards based on the motto of this artwork from Piene since 2006, the International ethecon Blue Planet Award, which honours persons, who are protecting and rescuing the Blue Planet, as well as the International ethecon Black Planet Award, which shames persons, who are ruining and destroying the Blue Planet to a Black Planet. From 2006 to 2009 Otto Piene painted the artwork on glass as an annual unique copy for the trophies for the Blue Planet Awards.



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The international ethecon Blue Planet Project¹ and the two international ethecon Awards (by ethecon founder Axel Köhler-Schnura²)

The two international ethecon prizes Blue Planet Award and Black Planet Award have been conferred by ethecon – Foundation Ethics & Economy since 2006. Today they belong to the most well-known anti-globalisation prizes worldwide.

What are these prizes all about? What is the presentation of these two ethecon Awards all about?

My foundation members, supporting members of the ethecon foundation, the donors and of course also I, together with my co-founder Ms. Rehmann, are involved in ethecon because we do not want to stand by and watch how fundamental principles of ethics are being trampled underfoot, just so that the rich and powerful of this world can become even richer and more powerful. And this while there has been already done vast damage by humans and ecology with the danger of a full social and ecological ruin of humanity. We are convinced that the reason for our social and ecological downfall of our Blue Planet is the profit principle and the associated destruction of fundamentally ethical principles caused by our economy. We are in favour of establishing ethical principles in economy and of a reorientation of a profit-based system to a solidarity-based system. Saving the planet will be only possible if we crash the profit principle.

The idea to promote efforts to preserve and rescue fundamental ethical principles with a foundation prize already came up during the foundation year in 2004. There were and are many prizes that award achievements in various sectors of society. However, there are not many prizes that honour resistance against abuse and ruin of ethics and moral that has the consequence of destruction of the environment, war and exploitation.

Our idea corresponded to the cycle of works “Blue Planet” of the artist Otto Piene (born 1928/deceased 2014)³. He belonged to the big artists of the 20th century. Together with Mack and Uecker he created the epochal ZERO art and is responsible, amongst other, for SkyArt. With the men-

¹ More detailed information about the International ethecon Blue Planet Project can be found in a brochure with the same title. It is available on request free of charge.

² Axel Köhler-Schnura, graduate in business management, Düsseldorf, born 1949, married, four children (one of them deceased); studies of business administration, sociology, informatics and various languages; until 1976 research in the field of sociology of the economy within the framework of German Research Society; followed by activities in several companies, finally in the executive management of a major enterprise in the graphic industry; since 1988 a self-employed entrepreneur with companies with an ecological orientation; actively engaged in the foundation and building of Federal Association of Citizens' Initiatives for Environmental Protection, of the umbrella organization of Critical Shareholders, of Pesticide Action Network PAN and of UnternehmensGrün (Green Enterprise), to name a few; honorary activities on the board of Arts against Big Companies Edition, of the alternative savings fund ProSolidar (www.ProSolidar.net) and of the international Network for Coordination against BAYER-dangers (www.CBGnetwork.org); founder and honorary chairman of ethecon – Foundation Ethics & Economy (www.ethecon.org); formerly in the coordination circle the European Social Forum; regular publications; bearer of several awards (Business Crime Control 1998 and Civic Courage 2000, to name a few). / Compiled from sources such as “Who is Who” (German edition) and Wikipedia.

³ More information about Prof. Otto Piene and his work can be found in the ethecon brochure entitled “Blue Planet Project” (available on request free of charge).

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tioned work Piene demanded: "Keep the Blue Planet green!" Piene's credo was simple as well as astonishing: "Yes, I dream of a better world. Should I dream of a worse one?"

Piene launched together with ethecon the International ethecon Blue Planet Project in 2005 and it was based on the idea to have an international prize. However, the discussion process about this prize quickly showed that it is not enough to just honour actions that fight for ethics and moral. It showed that it is equally important to denounce misdeeds against ethics and moral. Finally, the idea emerged to have two linked together ethecon prizes: The positive ethecon prize Blue Planet Award and the negative ethecon prize Black Planet Award.

Both ethecon prizes are one unit, two sides of the same medal. Together they reflect the state of the ethical principles that shape our world. At the same time, they illustrate the vision of ethics and moral that enables a world without exploitation and oppression. The two ethecon prizes outlaw ruthlessness, greed, war and destruction of the environment. And they follow the ideals of solidarity, peace, environmental protection and justice. They demand resistance, change and commitment in the interest of the ideals; stand for a liveable future for this, our world.

The first prize, the International ethecon Blue Planet Award, awards commitment to preserve and rescue the Blue Planet and calls attention to the pressing scope of actions and opportunities. The second prize, the International Black Planet Award, denounces the desecration of our world or the danger of a Black Planet and it condemns indifference and ignorance.

The two international ethecon prizes together show: There is hope. The force is in us, in every single of us.

The two international ethecon prizes fundamentally only award people and no institutions. Like that growing and targeted anonymization of decisions are supposed to be opposed. Especially in the events of negative developments the responsible people like to hide themselves behind the facades of any institution. They like to refer to alleged constraints and blame decisions that were sort of taken automatically. However, whether it is positive or negative, it is always the same: They are always people who take decisions and bear responsibility.

The presentation of the two international ethecon prizes usually takes place once a year. At the beginning of every year an internationally widespread call is initiated in which about 10 thousand recipients are asked to make proposals for award winners – for the International ethecon Blue Planet Award as well as for the International ethecon Black Planet Award. After a thorough advisory and decision-making process the award winners are announced on the occasion of the international anti-war day, on September 21st. The international public is informed in detail in two extensive dossiers in at least three languages about the reasons why certain winners were chosen – one for the Black Planet Award and



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one for the Blue Planet Award. The two ethecon prizes are awarded every third weekend of November of each year at a public, big ceremony in Berlin.

Many actors from all over the world are involved in the activities to present the awards. However, we deliberately do not involve actors from the prevailing circles and institutions but actors from resistant movements who fight for peace, ecology and justice. Like that the inseparable connection of the two awards and the meaning of these prizes to support our aim are supposed to be stressed and become visible.

The recipients of the International ethecon Blue Planet Award are invited to a ceremony in Berlin. After a detailed presentation of reasons (laudation) the prize will be handed over in person. We offer the recipient the possibility then to cooperate with ethecon and the network of the foundation.

This is different for the ethecon Black Planet Award though. The awarding of this negative prize will only be justified with a diatribe at the ceremony. The prize winners are only informed of this awarded infamous prize by an "Open Letter" that is published in three languages. However, the presentation of the award in person does not take place during this public ceremony. But also for this awarding people and organisations of international, social movements are involved.

When the two International ethecon Awards were born in 2005, a process to find prize trophies was created. Otto Piene spontaneously offered to create the trophy for the International ethecon Blue Planet Award and since 2006 he designed the annual prize trophy for the International ethecon Blue Planet Award as a unique, valuable sculpture that is made out of glass and wood. Until 2009. He asked then – now 82 years old – for reasons of age to be released from this responsible task.

With Katharina Mayer, the great photo artist and Becher student (Born in 1958), we have found someone who worthily continues the Blue Planet Project that was established by Piene and ethecon and who also gives the project its own character. In 2010, the prize trophy of the International ethecon Blue Planet Award was not designed with a brush for the first time. It was designed with the help of photo art. We are proud to have Katharina Mayer on our side.⁴

The prize trophy of the International ethecon Black Planet Award is created in a completely different way. This trophy is a plastic globe that is industrially manufactured under exploitative and environmentally unfriendly conditions that is designed annually as a Black Planet by young people. The artistic alienation is deliberately not carried out by the artist who creates the annual positive prize but by a young person who is randomly chosen. In doing so, it is avoided to create the infamous trophy of the International ethecon Black Planet Award as an art of work of high quality. It is guaranteed that in our world that is oriented towards usability no new precious objects are created. Especially for someone

⁴ More about the person and works of Prof. Katharina Mayer in the ethecon brochure „Blue Planet Project“ (can be obtained free of charge)

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who does not deserve this appreciation – in the truest sense of the word. At the same time the young person is a symbol for the endangered future of the Blue Planet, for those who are threatened by a Black Planet. It is the youth whose future is destroyed by the ecological, social and martial ruin of the world.

It is significant and important to mention that the denounced people who are awarded with the International ethecon Black Planet Award generally despise this award trophy. Down to the present day not one of the reviled persons has accepted the award personally and has laid him/herself open to criticism by the public. The prize trophy could be handed over to a delegate at the best, such as to an employee of a press office. However, most of the times we could observe how the prize was destroyed by security guards.

ethecon – Foundation Ethics & Economics is a foundation from the bottom. The foundation has emerged from global movements against globalisation and big corporations that fight for environmental protection, peace and justice; supported by activists who fight against corporate power, exploitation, war and environmental destruction; globally networked, connected with principles of international solidarity. ethecon is a foundation that sees itself as being responsible for future generations. The International ethecon Blue Planet Project that comprises the two international ethecon prizes wants to express this solidarity and these principles. Searching and finding the annual recipient on the basis of the mentioned principles, the annual presentation of the ethecon prizes during a ceremony that has a different topic every year in the context of the responsibility to sustain a liveable world, the presentation of the International ethecon Black Planet Award in the context of broad international actions – that is the International ethecon Blue Planet Project.

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Excerpt

from ethecon's statement justifying the censure of the major shareholders Warren Buffett and herbert Allen as well as the executives Muhtar Kent and James Quincey of the beverage company COCA COLA (USA) with the International ethecon Black Planet Award 2016⁵

Those primarily responsible for the decisions and actions of the beverage company COCA COLA (USA) are the chairman and CEO Muhtar Kent and the COO James Quincey as well as the major shareholders Warren Buffett and Herbert A. Allen. They own the corporation. They run the company. They are responsible for the ruin of human health, the large-scale destruction of the environment and even the death of many people. They not only pose a threat for peace and human rights, but also for democracy, ecology and humanity as a whole. They act for personal power and private profit. To this end they trample on moral and ethics and accept the ruin of the earth as black planet.

In ethecon's view the actions of the major shareholders Warren Buffett and Herbert Allen as well as of the executives Muhtar Kent and James Quincey of the beverage company COCA COLA (USA) are a shocking contribution to the ruin and destruction of our blue planet. For this appalling abuses and violations of human ethics ethecon – Foundation Ethics & Economy vilifies the responsible persons of The COCA COLA Company with the International ethecon Black Planet Award 2016.

Berlin, 21st September 2016⁶

⁵ Cf. page 30 of this dossier for the complete statement.

⁶ It is with full intention that Foundation ethecon chose 21st September for the declaration of the decision about the awardees of both the annual ethecon Awards: 21st September is International Day of Peace.

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Background⁷

regarding the censure of the major shareholders Warren Buffett and Herbert Allen as well as the executives Muhtar Kent and James Quincey of COCA COLA (USA) with the International ethecon Black Planet Award 2016

THE COCA COLA COMPANY (referred to as COCA COLA in this text) is an US beverage manufacturer specialising in soft drinks and drinking water. It is the world's largest producer of soft drinks, dominating more than half of the global market and selling its products in about 200 countries⁸ in the world.

COCA COLA's headquarter is in Atlanta, Georgia, US. The corporation has branches and offices in almost every country in the world. Cuba, Myanmar and North Korea are the only countries where it is not represented⁹.

In 2015, COCA COLA had a turnover of around US dollars (USD) 44.3 billion, not counting the licensees' internal business volume¹⁰. About 123,000 employees worked for the corporation in 2015 to achieve this turnover. If the licensees' employees are also counted, the staff number rises to about 770,000¹¹.

COCA COLA is the most valuable beverage brand in the world¹² and, at a value of USD 80.3 billion¹³, is the world's third-most expensive brand.

The market value of a COCA COLA share is EUR 38.70 (August 2016)¹⁴. In terms of market capitalisation, the corporation is on the 25th place in the list of the world's largest corporations with EUR 167.7 billion (August 2016)¹⁵.

COCA COLA was invented in 1886 when John Stith Pemberton created a syrup that was originally meant to be used against headaches and tiredness.

Pemberton was an American pharmacist and was a lieutenant colonel in the American Civil War¹⁶. He was severely addicted to morphine and tried out various mixtures based on the coca plant in the 1880s, hoping that the cocaine in them would help him stop using morphine.

⁷ This background information about COCA COLA's winners of the International ethecon Black Planet Award 2016 is an exemplary compilation of facts. It is based on publicly available information in electronic and printed media and does not claim to be exhaustive.

⁸ www.coca-cola-deutschland.de/unternehmen/coca-cola-weltweit

⁹ <https://m.manager-magazin.de>

¹⁰ <https://de.statista.com/statistik/daten/studien/259159/umfrage/entwicklung-des-nettoumsatzes-der-coca-cola-company>

¹¹ www.coca-cola-deutschland.de/unternehmen/coca-cola-weltweit

¹² https://wikipedia.org/wiki/The_Coca_Cola_Company

¹³ <http://de.statista.com/statistik/daten/studie/6003/umfrage/die-wertvollsten-marken-weltweit>

¹⁴ www.boerse-frankfurt.com/aktie/coca-cola-aktie

¹⁵ www.boerse-frankfurt.com/aktie/coca-cola-aktie

¹⁶ https://de.wikipedia.org/wiki/John_Pemberton



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The birth of today's soft drink dates from the day that Pemberton, satisfied with his mixture, got a patent on it. This happened on 8th May 1886.

The mixture's name and logotype were designed by Pemberton's accountant Frank M. Robinson¹⁷.

Shortly after the patent had been registered, the pharmacy wholesale trader Asa Griggs Candler bought the rights to COCA COLA for USD 2,300. Pemberton sold them because he needed money to feed his addiction¹⁸.

Candler made a fortune through buying the rights to COCA COLA¹⁹. He believed in the beverage's concept and massively changed the production to bring it to an industrial scale. In order to increase sales, he gave bottling licences to independent concessionaires.

In 1892, Candler founded THE COCA COLA COMPANY. He registered COCA COLA as a trademark in 1893.

By 1895, he was marketing the beverage all over the US; from 1898 onwards he also sold it to neighbouring countries.

In 1919, Candler's son Howard Candler sold the corporation to a consortium around Ernest Woodruff and Eugene Stetson for USD 25 million behind his father's back.

In 1923, Woodruff's son Robert W. Woodruff became the president of the COCA COLA empire. He made COCA COLA an omnipresent drink with the image of the „American style of life“ and was willing to use any means to achieve his aim. For example, he supplied the US army at reduced prices to make them the 'ambassador' for COCA COLA during their global campaigns²⁰.

The first time COCA COLA was bottled in Germany was in Essen in 1929 by the „Vertriebsgesellschaft für Naturgetränke“ (distribution company for natural beverages). The „COCA COLA GmbH“²¹ was founded in 1930. Its head Max Keith was instrumental in driving forward the production and popularity of COCA COLA in Germany.

In the Second World War, COCA COLA was one of the US-owned companies that showed that despite hostility and war, corporations make their profits on both sides of the front lines²². After all, the army of the US and the army of Nazi Germany were wartime opponents – but soldiers on both sides of the front filled the corporation's coffers.

¹⁷ www.coca-cola-deutschland.de/stories/wer-war-pemberton-auf-der-spur-des-erfinders-von-coca-cola

¹⁸ https://de.wikipedia.org/wiki/Asa_griggs_Candler

¹⁹ *ibid.*

²⁰ www.georgiaencyclopedia.org/nge/Artikel.jsp?id=h-1926

²¹ „GmbH means „Gesellschaft mit beschränkter Haftung“, that similar to a limited liability company

²² In a similar vein, the US corporation FORD produced lorries for Hitler's Wehrmacht in Cologne throughout WW2, and German corporations such as BAYER, HOECHST and BASF, united in the IG Farben, received 50 per cent of the profits from every litre of aviation fuel that ROCKE-FELLER provided for US and other combat aircrafts that, amongst other things, bombed Germany.

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In the course of the war, however, it became impossible to produce COCA COLA in Germany due to the Allies' embargo. The raw materials that were needed could no longer be imported despite the „U-Boot-Waffe“²³ (German submarine fleet), which was supposed to break the embargo at the price of great sacrifices. The head of the German COCA COLA GmbH still made sure that COCA COLA's profits continued to flow. He changed COCA COLA's manufacturing and now produced FANTA, which had been developed under his direction and was sold only in Germany at the time.

COCA COLA made maximum profits in the US as well during the war. Not only did General Dwight D. Eisenhower order three million bottles for the US army²⁴; no, the military also arranged the construction of around 64 bottling plants in the occupied areas.

After the Second World War, the beverage gained prominent support in Germany: the former boxing world champion Max Schmeling became a COCA COLA concessionaire in 1957.

From the 1950s onwards, German FANTA was included in COCA COLA's global product range, providing the corporation with an additional source of profit.

At the same time, COCA COLA in cans was developed especially for the military. Even nowadays, American soldiers receive COCA COLA rations at discounted prices.

COCA COLA was a „white“ corporation from the start: its advertisements only showed white children and white adults. Even now, COCA COLA is a white people's drink. There is recurring criticism of COCA COLA's racism.

In the 1960s, the corporation openly refused to hire African Americans. These and other racist occurrences in the COCA COLA group caused Martin Luther King Jr. to call for a boycott of COCA COLA in his last speech before he was murdered by the FBI on 3rd April 1968: „We are asking you tonight to go out and tell your neighbours not to buy COCA-COLA.“

In 2001, the corporation agreed in a court judgment about its systematic racism against African Americans to pay damages of USD 192.5 million. That was and still is the highest penalty connected to racism in the history of the United States²⁵.

Profit has always the dominating factor for COCA COLA's actions – at the cost of people and the environment and free from any kind of ethics, as shown in the example of supporting war on all sides.

Even COCA COLA's birth itself is associated with a crime. A drink that was created by a drug addict as a substitute for morphine was brought into the markets with an enormous advertising budget, even though it contained two addictive substances, caffeine and cocaine. It continued to be sold long after

²³ „U-Boot-Waffe“ means the German submarine fleet

²⁴ www.zeit.de/thema/dwight-d.-eisenhower

²⁵ https://killerCOKE.org/powerpoint_presentation.php



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statistics listing its victims – including fatalities – had been compiled. It was only achieved through considerable public pressure that the cocaine was removed and replaced by the more harmless flavouring agent of the coca plant. Caffeine was left completely untouched.

Completely counterfactually and misleadingly, Pemberton also marketed the brew as a medication from the offset. More than that, it was presented as a miracle cure that promised everyone help for everything from headaches to impotence.

After Candler took over the brand rights, from 1900 onwards sums that were extremely high for the time were used for advertising, so COCA COLA's alleged healing powers could be marketed even more extravagantly through unproven claims.

In 1905, the strategy changed. From now on, the dubious mixture shouldn't just be drunk by people who were ill. It was no longer marketed as a „'medication'“, but as a „refreshment for any time of day“.

Considering all that, it is not surprising that 1911 saw the first major trial against the corporation. The US government sued COCA COLA, claiming that it was inadmissible to sell caffeine to children as a refreshment. COCA COLA lost and pledged to stop aiming its advertising at children under 12. However, this didn't stop the corporation from using Santa Claus in the late 1920s, annually redefining Christmas which, as is well-known, is especially important for children because of the presents they receive. It's true that COCA COLA did not actually invent Santa Claus, but it did shape the way many millions of children imagine him: a jolly old man in red trousers and a red coat, with a friendly twinkle in his eyes, a white beard and – crucially – with a COCA COLA in his hand. The corporation didn't only successfully manipulate its target group, children (and their parents); it also ensured that the COCA COLA business still flourished in the cold season.

Another example of the corporation's unscrupulous policies is its criminal handling of water, which is essential for all living creatures in the world. In order to manufacture one litre of COCA COLA, nine litres of water are drawn, out of which eight litres are contaminated and fed back, endangering drinking water.

COCA COLA produces globally, which means that this also concerns the global water supply. In 2013 alone, 140.6 billion litres of water from state and municipal sources were affected²⁶.

There have been mass protests in India for many years. The ground water in Jaipur and Mehdiganj, for example, has sunk by 60 metres since 1999 due to COCA COLA's enormous water consumption. The consequences are devastating: the fields dry up, causing food scarcity, hunger and high unem-

²⁶ <http://de.statista.com/daten/studie/259426/umfrage/wasserverbrauch-der-coca-cola-company-nach-quellen>

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ployment. In the Plachimada region, more than 260 wells have dried up, and the entire agricultural sector has collapsed²⁷.

In the Indian federal state of Tamil Nadu, about a million traders boycott both COCA COLA and its competitor PEPSI because they cause droughts in the region through their reckless exploitation of the water reserves²⁸.

However, it's not only in India that the corporation deprives people of their water and, consequently, their livelihood. Mexico is another example. Here, COCA COLA appropriates drinking water sources, literally draining entire regions with all of their villages and communities.

In 2012, the French documentary „COCA COLA - la fórmula secreta“ was published, in which Mexico is mentioned. In Mexico's San Cristobal, there is no longer any water from taps, so people are forced to drink dirty, contaminated surface water, which makes them ill.

This doesn't bother the corporation. Quite the contrary: if there is no clean drinking water (left), children and adults should simply drink COCA COLA. It's not a coincidence that Mexico is the country with the highest per capita consumption of the US fizzy drink.

San Cristobal is actually one of the areas with the highest water wealth in the country, but that is what makes it a paradise for COCA COLA. The corporation pumps 750,000 litres of water²⁹ from the ground every day. In 2003, it only paid EUR 25,000 for that, meaning that it received the water almost free of charge. If it paid an appropriate price, all of the communities could at least be supplied with sufficient water through a pipe network.

Since 2000, the corporation has been enforcing a comprehensive programme for the privatisation of water and land. The Mexican government has already given the corporation 27 water concessions, 19 of which allow direct access to the ground water, and 15 of which allow access to various rivers.

Even worse, eight concessions allow the corporation to discharge its contaminated water and industrial waste into surface water, into rivers and lakes. The corporation takes out clean, pure water and feeds back water that is dirty and contaminated.

As there is no distribution of drinking water through a pipe network not only in Mexico, but in most of the world, people have to buy bottled water. One of the places they buy it from is COCA COLA because bottle water has long been one of COCA COLA's profitable products. For example, the renowned APOLLINARIS mineral water from Germany is also owned by COCA COLA³⁰.

²⁷ www.uni-trier.de/index.php?id=21448

²⁸ www.handelsblatt.com/unternehmen/handel-konsumgueter/pepsi-und-coca-cola-indiens-krieg-gegen-die-us-brause/19474416.htm

²⁹ www.teorema.com.mx/agua

³⁰ www.faz.net/aktuell/wirtschaft/unternehmen/getraenke-cola-cola-kauft-apollinaris-1330897.html



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The corporation thus doubles its profits from COKE manufacture: first it produces beverages depriving the local people of the water that is available, and then it sells them the stolen water in bottles.

COCA COLA has illegally taken large amounts of water from the public network, bottled it and sold it, saving the costs for connecting wells and achieving a profit of many hundred per cent. An example from the UK was covered in the press as recently as 2004³¹.

Another highly criminal activity is the disposal of the group's production waste, which is largely poisonous and hazardous to health. In India, COCA COLA's industrial waste contains huge amounts of cadmium and lead³². The corporation first stored the waste improperly and then unscrupulously sold it to farmers as fertilisers, causing enormous damage to ground water and soil, eventually poisoning people and making them ill.

It's also well known that, whether or not caffeine is considered, COCA COLA's drinks are generally far from healthy. In particular, their artificial sweeteners from MONSANTO are carcinogenic and harmful to health. This regularly leads to trials against COCA COLA.

At the moment, the organisation THE PRAXIS PROJECT from California is filing a lawsuit against the corporation for misleading advertising³³. The organisation compares the advertising methods of soft drinks producers (with COCA COLA in a leading role) to those of the tobacco industry, claiming that fizzy drinks manufacturers, just like cigarette companies, try to play down the health risks caused by their products. Research shows that sugary drinks contribute to obesity, type II diabetes and cardiovascular diseases, but the advertisements pretend that it is different. This is especially reprehensible where children are concerned, and the advertisements are primarily aimed at children because, after all, they are supposed to replace the older generations of consumers. The health risk is particularly high for children at all developmental stages. THE PRAXIS PROJECT, however, does not only accuse; it wants to introduce a tax on all sugary drinks to reduce their consumption, and to use the tax revenue to improve health-care.

Considering this background, it is more than strange that COCA COLA is a sponsor of international sports including the Olympics. Amongst other things, the consumption of the drink has been proven to have a negative effect on bone growth: the phosphor³⁴ used in the drink stops the body from taking in enough calcium, and calcium is extremely important for the human bones.

Looking for a low-calorie sugar substitute for its diet products, COCA COLA discovered Stevia Rebaudiana Bertoni, a plant that the South American Guarani call 'sweet herb' in their language. Now

³¹ www.n-tv.de/archiv/Coca-Cola-hat-Aerger-in-England-article94368.html

³² www.faz.net/aktuell/wirtschaft/unternehmen/getraenke-cola-cola-kauft-apollinaris-1330897.html

³³ www.thepraxisproject.org/news_update/lawsuit-against-coca-cola-american-beverage-association

³⁴ Based on statements by Hans Hauner, nutritional scientist at the Technische Universität Munich

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drinks manufacturers in particular take advantage of the indigenous people's knowledge about the plant's sweetening properties, cold-bloodedly depriving the real discoverers of their rights in an act of large-scale biopiracy. The indigenous Guarani are forced out of their ancestral forest areas and left to die a physical and social death. Many take their own lives³⁵.

In Columbia³⁶, COCA COLA's crimes reach a scale that is positively monstrous: 470³⁷ trade unionists have been killed there since 2002.

The trade union SINALTRAINAL has been fighting for better working conditions for years, for example in the town of Carepa. In Carepa, the plant BEBIDAS Y ALIMENTOS is responsible for bottling COCA COLA. The plant bottles exclusively for the drinks giant and calls itself a COCA COLA company³⁸.

Apart from BEBIDAS Y ALIMENTOS, the COCA COLA market in Columbia is dominated by the companies COCA COLA DE COLOMBIA³⁹, PANAMERICAN BEVERAGES⁴⁰ and PANAMCO COLOMBIA⁴¹.

SINALTRAINAL is an industrial union in Columbia's food sector that began in 1982 as an umbrella organisation for various existing Columbian trade unions⁴². SINALTRAINAL's members include employees of the NESTLÉ corporation, the COCA COLA COMPANY and the CORN PRODUCTS CORPORATION.

In Columbia, COCA COLA is accused of having worked with paramilitary groups. In 1994, paramilitaries shot Jose Elezar Manco David and Luis Enrique Gomes Granado, both of whom were employees of BEBIDAS Y ALIMENTOS and members of SINALTRAINAL. Other trade unionists and their families were intimidated and threatened. In 1995, all board members of SINALTRAINAL had to flee Carepa.

Directly after COCA COLA manager Milan Mosquera took up his post, some high-ranking trade unionists were laid off. SINALTRAINAL went to court to fight those unlawful dismissals and won. The people concerned had to be reinstated. Mosquera reacted by publicly declaring his sympathy for the paramilitary groups and announced that he would „destroy the trade union“.

In 1996, paramilitaries shot the union secretary Isidro Segundo Gil, who also campaigned for better working conditions. He was murdered on the exact day on which a negotiation with the company management about improving working conditions was to take place. Following the attack, the paramilitaries summoned all employees and recommended that they should leave the trade unions quickly if they

³⁵ www.survivalinternational.de/indigene/guarani

³⁶ In 2010, the film 'The COCA COLA Case' came out. It is mainly about human rights violations committed by the corporation in Columbia and about COCA COLA's cooperation with the paramilitary forces.

³⁷ *ibid.*

³⁸ https://archiv.labournet.de/internationales/co/cocacola/coca_colo.pdf

³⁹ Subsidiary, wholly owned by the COCA COLA COMPANY

⁴⁰ Sustained by the subsidiary PANAMCO with its COCA COLA-bottling plants. The headquarters is in Miami, Florida. PANAMERICAN BEVERAGES & PANAMCO are the largest bottlers in Latin America and work exclusively for COCA COLA. COCA COLA calls PANAMCO an 'anchor bottler'.

⁴¹ Subsidiary of and wholly owned by PANAMCO. Owns and controls 17 bottling plants in Columbia.

⁴² Archiv.labournet.de/internationales/co/cocacola/banden.pdf



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wanted to avoid the same fate. This meant that SINALTRAINAL was effectively smashed in the plant. The average wage was promptly reduced from USD 600 to USD 150 per month.

In the same year, José Herrera, another employee of BEBIDAS Y ALIMENTOS, was also shot by paramilitaries.

In 2000, the paramilitaries also murdered the widow of Isidro Gil, whom they had shot in 1996, leaving two orphaned children⁴³.

The extreme right-wing paramilitary forces are financed by large corporations including COCA COLA. It suited those corporations when Carlos Castaño, leader of the paramilitaries, declared: „We kill trade unionists because they interfere with people working.“⁴⁴ COCA COLA refuses even now to allow an independent investigation of the incidents.

PANAMCO COLUMBIA's leading management does not tolerate SINALTRAINAL either. In 1995, during negotiations with SINALTRAINAL in a plant of the corporation's subsidiary COCA COLA EMBOTELLADORA SANTANDER in Bucaramanga, PANAMCO refused to fulfil contractual provisions including paying health insurance contributions. SINALTRAINAL reacted with a 120-hour strike outside the company. The leading manager's response was to claim that he had found a bomb in the plant and to accuse five board members of the union. Three of them were arrested by police units and brutally beaten⁴⁵. The COCA COLA EMBOTELLADORA SANTANDER brought charges against the three trade unionists.

In Cucuta in Columbia, another bottling plant of COCA COLA EMBOTELLADORA SANTANDER, which belongs to PANAMCO COLUMBIA, the management denounced SINALTRAINAL by calling union officials „dangerous subversives“⁴⁶. As a consequence, SINALTRAINAL's local Secretary of Cultural Affairs Rafael Caravajal Penaranda was shot by the guard Martin Ortega directly outside the premises in 1998. Shortly after, he and his wife received several death threats, causing them to flee.

Another trade unionist, Jorge Humberto Leal, was abducted and tortured in Cucuta. He is being put under pressure even now.

A bottling plant belonging to the same COCA COLA subsidiary in Barrancabermeja cooperated with the paramilitaries as well. During a march against the planned peace process between the Colombian government and the National Liberation Army (ELN), the bottler supplied the paramilitaries with refreshing beverages. At the same time, the management accused SINALTRAINAL of being part of the armed guerilla and openly threatened the union.

⁴³ <http://archiv.labournet.de/internationales/co/cocacola/grundinfos.html>

⁴⁴ www.azzellini.net/lateinamerika/coca-cola-und-die-gewerkschaften

⁴⁵ Luis Eduardo Garcia, Alvaro Gonzales and Jose Domingo Flores

⁴⁶ https://archiv.labournet.de/internationales/co/cocacola/coca_colo.pdf

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On 20th July 2001, SINALTRAINAL, supported by the US trade union UNITED STEEL WORKERS (USW) and the International Labour Rights Fund, filed a lawsuit against COCA-COLA in Florida, specifically referring to COCA COLA COMPANY, COCA COLA DE COLOMBIA, PANAMERICAN BEVERAGES, PANAMCO, PANAMCO COLOMBIA, BEBIDAS Y ALIMENTOS and the main owners of BEBIDAS Y ALIMENTOS, Richard I. Kirby and Richard Kirby Keilland.

„You unionise, you’re out“ is COCA COLA’s motto in Turkey, too. In 2005, about 150 people organised a rally outside a COCA COLA logistics centre in Dudullu to protest against the unlawful dismissal of five trade union leaders and the mass dismissal of more than 500 employees. COCA COLA reacted aggressively and had Turkish police suppress the rally with massive violence. Many people were injured in the protest, and 92 were subsequently arrested⁴⁷.

In Turkey, COCA COLA İÇECEK (CCI) rules the market for refreshing beverages. CCI is a franchisee of the COCA COLA COMPANY, which owns 20.1 % of the enterprise. 50.3 % are owned by the Turkish drinks corporation ANADOLU EFES⁴⁸.

ANADOLU EFES⁴⁹ is the largest local shareholder in the COCA COLA franchisee⁵⁰ in Turkey. EFES owes its success mostly to Muhtar Kent, who was a CEO of the EFES BEVERAGE GROUP from 1999 to 2005 and increased the corporation’s sales market all the way from the Adriatic to China⁵¹.

Muhtar Kent is a Turkish-American citizen. He was born in New York, US, as a child of the Turkish consul-general, Necdet Kent. He graduated in England with a bachelor’s degree in Economics and a master’s degree in Administrative Sciences, and started his career in 1978 as a COCA COLA salesperson in Atlanta.

In 1985, he became the General Manager of COCA COLA Turkey and Central Asia⁵². During this period he transferred the headquarters of COCA COLA Turkey from Izmir to Istanbul, ensuring that the company was next door to the world of politics.

In 1989, he became the President of COCA COLA East Central Europe Division and the Vice President of COCA COLA International, putting him in charge of 23 countries.

In 1995, he became the Managing Director of COCA COLA AMATIL-EUROPE, which is in charge of bottling plants in 12 countries.

⁴⁷ https://killerCOKE.org/crimes_turkey.php

⁴⁸ www.cci.com.tr/en/our-company/about-us

⁴⁹ ANADOLU EFES = EFES BEVERAGE GROUP

⁵⁰ https://en.wikipedia.org/wiki/Efes_Beverage_Group

⁵¹ https://en.wikipedia.org/wiki/Muhtar_Kent

⁵² www.coca-colacompany.com/our-company/board-of-directors-muhtar-kent



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In the mid-90s, Kent had to leave his position because of an inside trading affair and officially stepped down from his posts. However, in 1999 he was back as the President and CEO of the EFES BEVERAGE GROUP.

In 2005, he returned to COCA COLA as the President and Chief Operating Officer for North Asia, Eurasia and the Middle East.

In 2006, he became the President of International Operations.

In 2009, he became COCA COLA's Chairman of the Board.

Muhtar Kent is a symbol of the international entanglement, the political influence and also the criminal energy of the COCA COLA corporation.

As an invited guest of the BILDERBERG conference⁵³, e.g. in 2009, Kent uses his influence in the world of international capitalism.

He is a chairman of the INTERNATIONAL BUSINESS COUNCIL OF THE WORLD ECONOMIC FORUM, a board member of the NATIONAL COMMITTEE ON UNITED STATES/China Relations and a member of the US-ASEAN BUSINESS COUNCIL, providing „advice“ on the policies of the influential governments everywhere.

There is a long list⁵⁴ of entanglements between politics and the economy personified in Muhtar Kent. For example, he is a member of the BUSINESS ROUNDTABLE⁵⁵ and a board member of SPECIAL OLYMPICS INTERNATIONAL INC, the CATALYST CORPORATION, RONALD MCDONALD HOUSE CHARITIES INC, the EFES SINAI YATIRIM HOLDING and the CONSUMER GOODS FORUM. He is also a fellow of the FOREIGN POLICY ASSOCIATION and the EMINENT PERSONS GROUP FOR ASEAN, a trustee of the CENTER FOR STRATEGIC & INTERNATIONAL STUDIES and a board member of EMORY UNIVERSITY.

In 2014, he received an honorary diploma from the GEORGIA INSTITUTE OF TECHNOLOGY.

In a ranking of the world's most expensive managers, Muhtar Kent ranked 10th in 2014, weighing in at EUR 13.1 million per year⁵⁶.

Muhtar Kent symbolises the COCA COLA corporation's greed for profit: „When you don't see cash, all things go wrong.“⁵⁷

⁵³ The Bilderberg conference is a regular meeting of influential people from economic, political and military circles, the media, universities, elites etc. It mostly consists of exchanging ideas about political and societal topics and is only accessible with an invitation.

⁵⁴ www.bloomberg.com/profiles/people/1734781-muhtar-kent & www.coca-colacompany.com/our-company/board-of-directors-muhtar-kent

⁵⁵ This shows a particular interconnectedness between politics and the economy: in 2013, for example, various representatives met Obama in the White House to discuss reforms of entry into the US.

businessroundtable.org/media/blog/ceos-meet-with-president-on-immigration

⁵⁶ www.manager-magazin.de

⁵⁷ www.businessinsider.com/coca-cola-ceo-muhtar-kents-leadership-philosophy-2012-5?IR=T

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Another man whose name is associated with COCA COLA's leading position in the beverage market is James Quincey.

Unlike Kent, Quincey did not start in the world of economics. He studied Electronic Engineering in Liverpool, England, only discovered economics after studying and was a partner in THE KALCHAS GROUP before he joined COCA COLA⁵⁸.

In 1996, he became the Director of Learning Strategy in COCA COLA's Latin America Group. This was Quincey's start in the beverage company.

In 2003, he was appointed President of the South Latin division, and in 2005 he also became the President of the Mexican branch. In this position, he opened up new market segments, expanded the portfolio and arranged the takeover of JUGOS DE VALLE, a fruit juice corporation.

In 2008, he became the President of the Northwest Europe and Nordics business unit and arranged the takeover of INNOCENT JUICE, a dubious smoothie and juice manufacturer.

From 2013 to 2015, acting as President of the Europe Group, he played an instrumental role in the merger of COCA COLA ENTERPRISES, COCA-COLA IBERIAN PARTNERS and the COCA-COLA ERFRISCHUNGSGETRÄNKE AG into COCA COLA EUROPEAN PARTNERS PLC, which created one of the world's biggest COCA COLA bottling plants.

In 2015 he was appointed President and Chief Operating Officer (COO) to support Kent, which meant that he was in charge of the entire operative business. According to COCA COLA, he directly reports to Kent and has his full confidence.

Quincey is COCA COLA's number two, which makes him responsible, just like Muhtar Kent.

Standing behind Muhtar Kent and James Quincey are other managers and, especially important, the corporation's major shareholders. Being owners and investors of the corporation, they are accountable for anything that is done in the company's responsibility, be it overt or covert.

COCA COLA's private major shareholders – just like those of other corporations – act in almost perfect anonymity. With considerable skill and a lot of effort, they disguise their identities, for example by having their fortunes managed by highly convoluted investment networks.

It must also be kept in mind that behind the institutional investors there are always people who are responsible for the investment decisions. This is also true for funds that invest for the security of social reserves, such as the funds of trade unions and churches. They cannot shirk their responsibility.

⁵⁸ www.coca-colacompany.com/our-company/operations-leadership-james-quincey



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The COCA COLA COMPANY's own capital is USD 44.3 billion, shared between 4.3 billion shares, just under 80 % of which are in the hands of public investors (free float).

According to COCA COLA, the largest single shareholder is Warren Buffett⁵⁹, who owns 400 million COCA COLA shares (more than 9 % of all of its shares)⁶⁰ through the investment company he runs privately, BERKSHIRE HATHAWAY⁶¹. Warren Buffett personally owns about 30 % of all shares of BERKSHIRE HATHAWAY⁶².

The family of Herbert A. Allen, former COCA COLA director and now president of the investment company ALLEN & COMPANY INC., owns about 20 million shares of the corporation (about 0.5 %)⁶³.

Along with BERKSHIRE HATHAWAY, about 1,730 institutional investors own approximately 63 % of all COCA COLA shares. Amongst them are other investment companies of the ultra rich apart from BERKSHIRE HATHAWAY, e.g. BLACKROCK. The beverage giant's five largest institutional shareholders are⁶⁴:

BERKSHIRE HATHAWAY, INC., approx. 400 million shares (around 9.3 %)

VANGUARD GROUP, 274 million shares (around 6.3 %)

STATE STREET COOPERATION, 164 million shares (around 3.8 %)

CAPITAL WORLD INVESTORS, approx. 149 million shares (around 3.4 %)

BLACKROCK FUND ADVISORS, approx. 115 million shares (around 2.7 %)

While the company managers are not amongst the largest single shareholders, they do own enormous share packages in the corporation. The four largest shareholdings are owned by⁶⁵:

Muhtar Kent (CEO⁶⁶) approx. 388,000 shares

David Weinberg (COB⁶⁷) approx. 355,000 shares

Irial Finan (EVP⁶⁸) approx. 327,000 shares

Alexander J. Douglas Jr. (Pres⁶⁹ & EVP⁷⁰ North America) approx. 211,000 shares

It's worth mentioning that COCA COLA joined the UNITED NATIONS (UN) organisation GLOBAL COMPACT in March 2006, pledging to respect human rights and promote their observance in its area of in-

⁵⁹ www.finanzen.net/nachricht/aktien/MyDividends-Kolumne-Coca-Cola-erleidete-einen-Dampfer-4843531

⁶⁰ www.cnbc.com/2016/05/02/Buffett-defends-berkshire-big-coke-stake.html

⁶¹ https://de.wikipedia.org/wiki/Berkshire_Hathaway

⁶² https://de.wikipedia.org/wiki/Berkshire_Hathaway and https://de.wikipedia.org/wiki/Warren_Buffett

⁶³ www.coca-colacompany.com/content/dam/journey/us/en/private/fileassets/pdf/2015/03/2015-proxy-statement.pdf

⁶⁴ <http://investors.morningstar.com/ownership/shareholders-major.html?t=KO>

⁶⁵ www.4-traders.com/THE-COCA-COLA-CO-4819/

⁶⁶ Chief Executive Officer

⁶⁷ Chairman of Board

⁶⁸ Executive Vice President

⁶⁹ President

⁷⁰ Executive Vice President

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fluence; to do away with enforced labour, child labour and discrimination in the company; to prevent environmental damage and to increase environmental awareness. In addition, GLOBAL COMPACT is naturally doing all that it can to stop corruption⁷¹.

It should, however, be mentioned that GLOBAL COMPACT is practically stage-managed and carried by its very signatories. Its connection to the UN is bought with generations donations. The companies do not only have seats and votes in the committees of GLOBAL COMPACT; they are, in fact, the ones who call the shots. GLOBAL COMPACT does not provide for any controls whether the companies and organisations involved actually keep the social and ecological minimum standards that were agreed on, and violations are not sanctioned in any way. In other words: GLOBAL COMPACT, far from being an independent UN organisation, is a perfect example of big business taking control over the UN. In this case this comes with a bluewashing effect that is highly positive for the corporations' profits⁷².

This means that GLOBAL COMPACT is an example of the way large corporations attack the UNO, its sub-organisations and national governments. „In times when governments seem unable to solve pressing global problems, the economy presents itself as a flexible, efficient, unbureaucratic alternative. ... This development leads to a risk that UN processes may be influenced by economic interests, preventing a sustainable development that aims to benefit all human beings.“⁷³

COCA COLA is in an alliance with the other leading multinational groups of a world of large companies that undermine the independence of the UNITED NATIONS, rendering them inefficient. Corporate logic is aimed at profit, not at positive societal developments. It doesn't make any difference that COCA COLA spent USD 38 million on school and water projects, a pittance compared to its marketing expenses of USD 4.2 billion – even though the company showcases the fact in glossy brochures and on its web site, celebrating it as a success⁷⁴. That is exactly how misleading the public works.

The main people responsible for the decisions and actions of the US beverage corporation THE COCA-COLA COMPANY (USA) are its heads Muhtar Kent and James Quincey, as well as its major shareholders Warren Buffett and Herbert A. Allen. They own the corporation (with others). They run it. They are to blame for the ruin of human health, large-scale environmental destruction, even numerous deaths. They are a danger not just to peace and human rights, but also to democracy, the environment and humanity itself. They act for personal power and private gain, riding roughshod over morals and ethics and risking the demise of the earth as a Black Planet.

⁷¹ https://de.wikipedia.org/wiki/Global_Compact

⁷² The term bluewashing means the fairly new trick of covering up crimes against the environment, violations of human rights etc. behind the blue facade of the UN image. The term is based on the expression greenwashing, which means that corporations disguise the ignominies they commit by making a few marginal environmental donations or projects.

⁷³ <https://info.brot-fuer-die-welt.de/blog/neue-publikation-transnationale-konzerne-nehmen>

⁷⁴ www.coca-cola-deutschland.de/media-newsroom/bilddatenbank/infografik-ausgleich-des-wasserverbrauchs-bei-coca-cola

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ethecon considers the actions of Muhtar Kent, James Quincey and the major shareholders Warren Buffett and Herbert A. Allen of the beverage corporation COCA COLA COMPANY (USA) a shocking contribution to the ruin and destruction of our Blue Planet. In response to their startling contempt for and violation of human ethics, ethecon – Foundation Ethics and Economics hands the responsible people in the COCA COLA COMPANY the International ethecon Black Planet Award 2016.



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Contact details

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Chairman of the Board and Chief Executive Officer
will step down from the CEO Post on May 1st, 2017

James Quincy
President
Chief Operating Officer
Will become CEO on May 1st, 2017

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Selected internet links

<https://corporate-watch.org>
<http://corpwatch.org>
<http://killercoke.org>
<https://www.greenpeace-magazin.de/nachrichtenarchiv/die-wahrheit-hinter-der-gruenen-cola>
<https://en.wikipedia.org/wiki/Coca-Cola>
<http://www.tmcrew.org/killamulti/cocacola/>
<http://www.colombiasolidarity.org.uk/campaigns/18-coca-cola>
<https://www.stopcorporateabuse.org/>
http://www.corporatecampaign.org/history_sinaltrainal_coca-cola_2003.php
<https://canadians.org/>
<http://www.documentary-film.net/search/video-listings.php?e=203>
<http://www.theecologist.org/search.php?q=coca+cola&offset=0&submit=Go>
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<http://www.karmabanque.com/modules.php?op=modload&name=KarmaBoycott&file=boycott&id=48>
<http://www.massglobalaction.org/home/nocoke.htm>
https://d3n8a8pro7vhmx.cloudfront.net/polarisinstitute/pages/29/attachments/original/1410802045/Coke_profile_August_18.pdf?1410802045
<http://soaw.org/component/search/?searchword=coca+cola&ordering=&searchphrase=all>
<http://www.sinaltrainal.org/index.php/campanas/coca-cola75>
<http://www.kritischerkonsum.de/kampagnen-aktionen/coca-cola-boycott/>
<https://actions.sumofus.org/a/coke-recycling>
<https://www.buycott.com/campaign/538/boycott-coca-cola>

International ethecon Black Planet Award 2016
to Waren Buffett and Herbert Allen (major shareholders)
as well as Muhtar Kent and James Quincey (executives)
of the beverage corporation COCA COLA (USA)

Selected non-governmental organisations

> Killer Coke

P.O. Box 1002, Cooper Station
New York, NY 10276-1002
Fon +1 – 718 – 852 2808
EMail info@killercoke.org
Internet www.killercoke.org

> Amnesty International / Germany

Zinnowitzer Straße 8
D-10115 Berlin
Germany
Fon +49 - 30 - 420248-0
Fax +49 - 30 - 420248-488
eMail info@amnesty.de
Internet www.amnesty.de

> MultiWatch

Mailbox
3097 Liebefeld
Swiss
eMail info@multiwatch.ch
Internet www.multiwatch.ch

> Pesticide Action Network North America

1611 Telegraph Ave, Suite 1200,
Oakland, CA 94612
USA
Fon +1 - 510 - 788 9020
Fax +1 - 415 - 981 1991
Internet www.panna.org

International ethecon Black Planet Award 2016
to Warren Buffett and Herbert Allen (major shareholders)
as well as Muhtar Kent and James Quincey (executives)
of the beverage corporation COCA COLA (USA)



International ethecon Black Planet Award 2016
to Warren Buffett and Herbert Allen (major shareholders)
as well as Muhtar Kent and James Quincey (executives)
of the beverage corporation COCA COLA (USA)

Justification

**by the ethecon Foundation Ethics & Economy for censuring
the chairman and CEO Muhtar Kent and the COO James Quincey
as well as the major shareholders Warren Buffett and Herbert Allen
of the beverage company COCA COLA (USA)
with the International ethecon Black Planet Award 2016**

Every year since 2006 ethecon Foundation Ethic & Economy has awarded two prizes: the International ethecon Blue Planet Award and the International ethecon Black Planet Award.

The International ethecon Blue Planet Award honors individuals who have shown outstanding commitment to protecting and defending human ethics in the conflict area of ethics and economics, thus preserving and saving our Blue Planet.

The International ethecon Black Planet Award vilifies individuals who trample on human ethics in the most shocking manner in the conflict area of ethics and economics, thus ruining and destroying our Blue Planet and turning it into a Black Planet.

The International ethecon Blue Planet Award and the International ethecon Black Planet Award are two opposite sides of the same coin. Together they reflect the state of the world. On the one hand they honour a commitment to environmental protection, justice and peace, on the other they condemn reckless environmental destruction, injustice and war. The prizes encourage resistance, change and involvement. In both cases the "Blue Planet" means the complete animate and inanimate world.

As a result of the search and selection procedure for the International ethecon Black Planet Award 2016, the trustees and the board of ethecon Foundation Ethic & Economy declare:

With the International ethecon Black Planet Award ethecon vilifies individuals – thus complementing the International ethecon Blue Planet Award and the aims of ethecon Foundation Ethic & Economy – who trample on human ethics in the most shocking manner in the conflict area of ethics and economics, thus ruining and destroying our Blue Planet and turning it into a Black Planet.

With the international ethecon Black Planet Award ethecon decries individuals who are responsible for war, exploitation, human rights violations, environmental destruction and social hardship.

These individuals act recklessly, cunningly, characterised by base motives and solely for personal benefit. Without hesitation they follow a scorched earth policy, leaving behind a black planet, for their own power and profit. They display unscrupulousness and egoism.

Those vilified with the International ethecon Black Planet Award are the ones destroying moral and ethics, thus turning the blue planet into a black planet.



International ethecon Black Planet Award 2016
to Warren Buffett and Herbert Allen (major shareholders)
as well as Muhtar Kent and James Quincey (executives)
of the beverage corporation COCA COLA (USA)

In a world increasingly driven by profit as the sole criterion for any decision and development this tiny powerful group is pitted against the interests of humanity. They are highly privileged, tied into global networks and supported by major capital interests. Always well secured and protected, they are autocratic and increasingly above any laws and jurisdictions. But they are the ones to be blamed for war, exploitation and environmental destruction.

The awardees are vilified with the negative prize and personally denounced, representing all those endangering the “Blue Planet” and risking its demise to a “Black Planet”. Their vilification is meant as a cautionary example to themselves and us all.

The International ethecon Black Planet Award understands itself as a mobilisation for the fight for peace, justice and environmental protection, a mobilisation against warmongering, exploitation and environmental destruction. It is meant to sensitise and alert the public, uncover the context and those responsible and strengthen the resistance against environmental destruction, war and injustice.

Every year in February there is an international call-out to submit nominations for the International ethecon Black Planet Award. The nominees are chosen by the foundation in a thorough selection process.

The international ethecon Black Planet Award 2016 vilifies the chairman and CEO Muhtar Kent and the COO James Quincey as well as the major shareholders Warren Buffett and Herbert A. Allen of THE COCA COLA COMPANY (USA) with the ethecon Black Planet Award 2016.

The trustees and the board of ethecon have based their decision on news reports, on publicly known facts, on information collected by journalists from all over the world, on publicly available documents, on investigations by government departments and environmental organisations in various countries and last but not least on material published by COCA COLA itself.

Generally, it is assumed that the justification for the decision would have been more forceful and comprehensive if all information had been fully available, including any internal and external, covered-up or destroyed information.

From the wealth of facts we researched in the course of the selection process of the International ethecon Black Planet Award 2016 to the chairman and CEO Muhtar Kent and the COO James Quincey as well as the major shareholders Warren Buffett and Herbert A. Allen of COCA COLA (USA) these are just some examples:

The invention of COCA COLA back in 1886 was already linked to a crime. A drink developed as a substitute for the inventor's morphine addiction was heavily marketed despite containing two addictive substance – caffeine and cocaine. Its sale continued long after statistics emerged about its victims – including deaths.

International ethecon Black Planet Award 2016
to Warren Buffett and Herbert Allen (major shareholders)
as well as Muhtar Kent and James Quincey (executives)
of the beverage corporation COCA COLA (USA)

Until 1905 the brew was marketed as a “medicine”, despite all known facts. It was marketed as a miracle medicine promising a “cure for all” - from headaches to impotence. It was labelled as a “refreshment” purely to reach more target customers.

It is hardly surprising then that in 1911 the corporation faced its first litigation. The US government sued COCA COLA because it was illegal to sell caffeine to children as refreshment.

This did not prevent the corporation at the end of the 1920s to invent Father Christmas with the Coke bottle in his hand and to re-define Christmas, which obviously is of central importance to children because of the presents Father Christmas brings.

During World War II the corporation did not hesitate to derive profits from all fronts in the war. Coke was supplied to the US Army, German soldiers drank Fanta.

In 1960 the corporation refused to employ African Americans due to their skin colour. This fact and other racist comments in relation to the company led Martin Luther King Jr to call for boycotts of the corporation in his last speech in 1968. In 2001 the corporation paid 192.5 million US-Dollars in compensation; the highest racism related payout in the history of the US.

Since 1994 COCA COLA in Colombia has been responsible for its links to the paramilitary and the assassination of trade unionists of SINALTRAINAL. In Turkey the corporation will sack anyone who joins a union.

In India the corporation contaminates the soil and spoils the groundwater.

In Mexico COCA COLA is pursuing a programme for water privatisation which is leaving the surrounding villages and communities without water.

In their decision to pillory the directors Muhtar Kent and James Quincey as well as the major shareholders Warren Buffett and Herbert A. Allen of COCA COLA (USA) with the International ethecon Black Planet Award 2016 the managing board and the board of trustees of ethecon also explicitly refer to the proposal adopted by the Permanent Peoples' Tribunal (PPT) on 1994 for a human-rights “Charter on Industrial Hazards”, and to the United Nations Declaration of Human Right.

Trustees and Board of ethecon declare:

Those primarily responsible for the decisions and actions of the beverage company COCA COLA (USA) are the chairman and CEO Muhtar Kent and the COO James Quincey as well as the major shareholders Warren Buffett and Herbert A. Allen. They own the corporation. They run the company. They are responsible for the ruin of human health, the large-scale destruction of the environment and even the death of many people. They not only pose a threat for peace and human rights, but also for democracy, ecology and humanity as a whole. They act for personal power and private profit. To this end they trample on moral and ethics and accept the ruin of the earth as black planet.

International ethecon Black Planet Award 2016
to Warren Buffett and Herbert Allen (major shareholders)
as well as Muhtar Kent and James Quincey (executives)
of the beverage corporation COCA COLA (USA)



In ethecon's view the actions of the major shareholders Warren Buffett and Herbert Allen as well as of the executives Muhtar Kent and James Quincey of the beverage company COCA COLA (USA) are a shocking contribution to the ruin and destruction of our blue planet. For this appalling abuses and violations of human ethics ethecon – Foundation Ethics & Economy vilifies the responsible persons of The COCA COLA Company with the International ethecon Black Planet Award 2016.

The International ethecon Black Planet Award 2016 to the executives Muhtar Kent and James Quincey as well as to the major shareholders Warren Buffett and Herbert A. Allen of the beverage company COCA COLA (USA) will be presented in Berlin on 19th November 2016 together with the International ethecon Blue Planet Award 2016 to the activists of the trade union and workers movement Huberto Juárez Núñez (Mexico) in a public ceremony.

Berlin, International Day of Peace 21st September 2015⁷⁵

⁷⁵ It is with full intention that Foundation ethecon chose 21st September for the declaration of the decision about the awardees of both the annual ethecon Awards: 21st September is International Day of Peace.

International ethecon Black Planet Award 2016
to Warren Buffett and Herbert Allen (major shareholders)
as well as Muhtar Kent and James Quincey (executives)
of the beverage corporation COCA COLA (USA)

**Open Letter
from the ethecon Foundation Ethics & Economy
to the chairman and CEO Muhtar Kent and the COO James Quincey
as well as to the major shareholders Warren Buffett and Herbert Allen
of the beverage company COCA COLA (USA)
with the International ethecon Black Planet Award 2016**

Mr. Kent and Mr. Quincey,
Mr. Buffett and Mr. Allen

Today, on 19th November 2016 the International ethecon Black Planet Award 2016 was presented by the ethecon Foundation Ethics & Economics during a public ceremony.

The International ethecon Blue Planet Award honors individuals who have shown outstanding commitment to protecting and defending human ethics in the conflict area of ethics and economics, thus preserving and saving our Blue Planet.

The International ethecon Black Planet Award vilifies individuals who trample on human ethics in the most shocking manner in the conflict area of ethics and economics, thus ruining and destroying our Blue Planet and turning it into a Black Planet.

The International ethecon Blue Planet Award and the International ethecon Black Planet Award are two opposite sides of the same coin. Together they reflect the state of the world. On the one hand they honour a commitment to environmental protection, justice and peace, on the other they condemn reckless environmental destruction, injustice and war. The prizes encourage resistance, change and involvement. In both cases the "Blue Planet" means the complete animate and inanimate world.

As a result of the search and selection procedure for the International ethecon Black Planet Award 2016, the trustees and the board of ethecon Foundation Ethic & Economy declare:

With the International ethecon Black Planet Award ethecon vilifies individuals – thus complementing the International ethecon Blue Planet Award and the aims of ethecon Foundation Ethic & Economy – who trample on human ethics in the most shocking manner in the conflict area of ethics and economics, thus ruining and destroying our Blue Planet and turning it into a Black Planet.

With the international ethecon Black Planet Award ethecon decries individuals who are responsible for war, exploitation, human rights violations, environmental destruction and social hardship.

These individuals act recklessly, cunningly, characterised by base motives and solely for personal benefit. Without hesitation they follow a scorched earth policy, leaving behind a black planet, for their own power and profit. They display unscrupulousness and egoism.



International ethecon Black Planet Award 2016
to Warren Buffett and Herbert Allen (major shareholders)
as well as Muhtar Kent and James Quincey (executives)
of the beverage corporation COCA COLA (USA)

Those vilified with the International ethecon Black Planet Award are the ones destroying moral and ethics, thus turning the blue planet into a black planet.

In a world increasingly driven by profit as the sole criterion for any decision and development this tiny powerful group is pitted against the interests of humanity. They are highly privileged, tied into global networks and supported by major capital interests. Always well secured and protected, they are autocratic and increasingly above any laws and jurisdictions. But they are the ones to be blamed for war, exploitation and environmental destruction.

The awardees are vilified with the negative prize and personally denounced, representing all those endangering the "Blue Planet" and risking its demise to a "Black Planet". Their vilification is meant as a cautionary example to themselves and us all.

The International ethecon Black Planet Award understands itself as a mobilisation for the fight for peace, justice and environmental protection, a mobilisation against warmongering, exploitation and environmental destruction. It is meant to sensitise and alert the public, uncover the context and those responsible and strengthen the resistance against environmental destruction, war and injustice.

Every year in February there is an international call-out to submit nominations for the International ethecon Black Planet Award. The nominees are chosen by the foundation in a thorough selection process.

The international ethecon Black Planet Award 2016 vilifies you, the chairman and CEO Muhtar Kent and the COO James Quincey as well as the major shareholders Warren Buffett and Herbert A. Allen of THE COCA COLA COMPANY (USA), with the ethecon Black Planet Award 2016.

The trustees and the board of ethecon have based their decision on news reports, on publicly known facts, on information collected by journalists from all over the world, on publicly available documents, on investigations by government departments and environmental organisations in various countries and last but not least on material published by COCA COLA itself.

Generally, it is assumed that the justification for the decision would have been more forceful and comprehensive if all information had been fully available, including any internal and external, covered-up or destroyed information.

From the wealth of facts we researched in the course of the selection process of the International ethecon Black Planet Award 2016 to you, the chairman and CEO Muhtar Kent and the COO James Quincey as well as the major shareholders Warren Buffett and Herbert A. Allen of COCA COLA (USA), these are just some examples:

The invention of COCA COLA back in 1886 was already linked to a crime. A drink developed as a substitute for the inventor's morphine addiction was heavily marketed despite containing two addic-

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to Waren Buffett and Herbert Allen (major shareholders)
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tive substance – caffeine and cocaine. Its sale continued long after statistics emerged about its victims – including deaths.

Until 1905 the brew was marketed as a “medicine”, despite all known facts. It was marketed as a miracle medicine promising a “cure for all” - from headaches to impotence. It was labelled as a “refreshment” purely to reach more target customers.

It is hardly surprising then that in 1911 the corporation faced its first litigation. The US government sued COCA COLA because it was illegal to sell caffeine to children as refreshment.

This did not prevent the corporation at the end of the 1920s to invent Father Christmas with the Coke bottle in his hand and to re-define Christmas, which obviously is of central importance to children because of the presents Father Christmas brings.

During World War II the corporation did not hesitate to derive profits from all fronts in the war. Coke was supplied to the US Army, German soldiers drank Fanta.

In 1960 the corporation refused to employ African Americans due to their skin colour. This fact and other racist comments in relation to the company led Martin Luther King Jr to call for boycotts of the corporation in his last speech in 1968. In 2001 the corporation paid 192.5 million US-Dollars in compensation; the highest racism related payout in the history of the US.

Since 1994 COCA COLA in Colombia has been responsible for its links to the paramilitary and the assassination of trade unionists of SINALTRAINAL. In Turkey the corporation will sack anyone who joins a union.

In India the corporation contaminates the soil and spoils the groundwater.

In Mexico COCA COLA is pursuing a programme for water privatisation which is leaving the surrounding villages and communities without water.

In our decision to pillory you, Mr. Kent, Mr. Quincey, Mr. Buffett and Mr. Allen, with the International ethecon Black Planet Award 2016 we also explicitly refer to the proposal adopted by the Permanent Peoples' Tribunal (PPT) on 1994 for a human-rights “Charter on Industrial Hazards”, and to the United Nations Declaration of Human Right.

Mr. Kent and Mr. Quincey,
Mr. Buffett and Mr. Allen

It is you who are as executives and major shareholder primarily responsible for the decisions and actions of COCA COLA (USA). You own the corporation. You run the company. You are responsible for the ruin of human health, the large-scale destruction of the environment and even the death of many people. You not only pose a threat for peace and human rights, but also for democracy, ecology and

International ethecon Black Planet Award 2016
to Waren Buffett and Herbert Allen (major shareholders)
as well as Muhtar Kent and James Quincey (executives)
of the beverage corporation COCA COLA (USA)



humanity as a whole. You act for personal power and private profit. To this end they trample on moral and ethics and accept the ruin of the earth as Black Planet.

In ethecon's view the actions of you, Mr-Buffett, Mr. Allen, Mr. Kent and Mr. Quincey, are a shocking contribution to the ruin and destruction of our blue planet. For this appalling abuses and violations of human ethics ethecon Foundation Ethics & Economy vilifies you, Mr-Buffett, Mr. Allen, Mr. Kent and Mr. Quincey, with the International ethecon Black Planet Award 2016.

As mentioned above, the awarding of the International ethecon Black Planet Award 2016, to you, who own and run the company, is combined with the awarding of the International ethecon Blue Planet Award 2016. This is being awarded to the activist of the trade union and workers movement Huberto Juárez Núñez (Mexico). In contrast to you, who are endangering and ruining our blue planet irresponsibly, Huberto Juárez Núñez is fighting to preserve and save our blue planet and its inhabitants.

We call on you to follow the example of people like Huberto Juárez Núñez for your personal involvement. Put an end to the exploitation and ruining of people and the environment by COCA COLA. Ensure social justice, safety, and human rights in the corporation itself and its purview. Preserve the environment and peace. Instead of in the pursuit of profit, use your money for ethical investments and solidary projects, such as the vast majority of the world's population demand.

Above all we ask you: Compensate the thousands of victims and relatives in India and elsewhere in the world, clean up the environment that you contaminated.

This is the appeal to you, the responsible managers and owners of COCA COLA, from the ethecon Foundation Ethics & Economy that accompanies the pillorying by the International ethecon Black Planet Award 2016.

At the same time we actively fight together with the national and international movements criticising big business and neoliberal globalisation that you are made personally liable and accountable for your actions and the environmental, health, financial, social and other damages caused by COCA COLA, and will be punished if necessary.

Berlin, 19th November 2016

Axel Köhler-Schnura
Chairman of the Managing Board

Angela Beutler
Chairwoman of the Board of Trustees)

International ethecon Black Planet Award 2016
to Warren Buffett and Herbert Allen (major shareholders)
as well as Muhtar Kent and James Quincey (executives)
of the beverage corporation COCA COLA (USA)





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of the beverage corporation COCA COLA (USA)

Diatribes

on occasion of the bestowal of the International ethecon Black Planet Award 2016 on the two board members Muhtar Ken and James Quincey as well as to the two major shareholders Warren Buffett and Herbert Allen of the beverage company COCA COLA (USA) by Werner Rätz/Germany⁷⁶

Dear Ladies and Gentleman,

One of the stories that COCA COLA loves to use for its marketing is the history of its marketing itself. „With its marketing, COCA COLA has created true classics time and time again,“ it says on the web site of COCA COLA Germany. „Slogans, jingles, campaigns, catchy tunes – COCA COLA developed many of those. It has always kept up to date and sometimes been ahead of its time – for 130 years. COCA COLA’s new slogan continues a story of success that is probably unique in the world of marketing. It was only shortly after the first Coke was sold in 1886 that the first ad was placed in the ‘Atlanta Journal’, still in black and white at the time. After that, the words ‘delicious and refreshing’ stayed an inherent part of the brand advertising for decades.“

By using the word „feeling“, the new slogan that the text mentions, „Taste the feeling“, picks up an element that was already used in the 1980s. Marketing theorists rack their brains wondering whether they shouldn’t have used other terms such as ‘the real thing’ to highlight their status as an original. That was the phrase they used in the early 1970s, and shortly afterwards, they added life itself: „Coke adds life“ was the slogan in 1976. At that time, a number of colleagues and I had just founded the Informationsstelle Lateinamerika (an association for the provision of critical, independent information from Latin America) in the German city of Bonn, and one of our very young activists later adopted the COCA COLA slogan to express his own view of the product and the company. „COCA COLA ruins German stomachs and Guatemalan workers, “ he said, slightly flippantly, but to the point.

The reference to Guatemala regarded labour conflicts in a COCA COLA plant in that country, a constant in the company’s history. I shall return to this point, but would like to stick to marketing for now.

The words „exhilarating“ and „invigorating“ were also used in the first ad from 1886. Nowadays, the company would probably like these words to be interpreted as „stimulating“ or „vitalising“. However, especially „exhilarating“ also has an undertone of „over-exciting“ – something that may activate the body more than is good for it. Invigoration and vitalisation, however, were welcome effects of the medication.

Did I say medication? Yes, I did, because that is how the history of „French Wine Coca“ began in a pharmacy in Atlanta, Georgia, in 1886. Its owner, John Pemberton, a severely ill 55-year-old morphine

⁷⁶ Werner Rätz is a member of the Board of attac/Germany.

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to Warren Buffett and Herbert Allen (major shareholders)
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of the beverage corporation COCA COLA (USA)

addict, experimented with cocaine in an attempt to stop taking morphine. He also used cola nuts because their active components caffeine and theobromine have a vitalising effect and the latter also lightens the mood. The nuts are not banned under the narcotics law, but are used in legal highs.

Pemberton added wine and essential oils to the mixture, got a patent on it in summer 1887 and sold the syrup, mixed with soda water, to his customers. The product didn't do anything for him; he died only a year later. He and his successors praised the fizzy drink as a medication against tiredness, headaches, impotence and depression and sold it for five cents a glass. The wine in the drink fell victim to prohibition later; the cocaine was removed due to public pressure, and the caffeine caused a US court to rule in 1911 that COCA COLA must not be sold to children. Santa Claus, who featured prominently in the corporation's advertisements, certainly didn't sell the product. After all, he is not a sales agent; he brings presents.

Ironically, the subtext of the story about COCA COLA's successful advertising history actually contains an important truth. Right from the start, COCA COLA was a product that transported more than the ingredients that were officially declared. It's a symbol of addiction, of greedy business interests pursued at the risk of harming customers and of hushing up that background. COCA COLA presents itself as „the real thing“, the one thing that makes life better and outshines everything else. The aim is to make the losers of capitalist globalisation feel, with every sip they take, that the American way of life is the best thing ever and that, this way, they can be part of it.

But that's enough for now. My aim is not to describe COCA COLA's cultural history, even though that might be an interesting task. Instead, the corporation, its chairpersons and its major shareholders have provided plenty of facts throughout history that explain well why they were chosen for this year's Black Planet Award.

For example, during World War II COCA COLA supplied its products on both sides of the front line. The Allies received Coke at a price of five cents, the way it used to be in Atlanta at the very beginning, while the US government built bottling plants everywhere and let the corporation use them free of charge after the war. At the same time, COCA COLA Germany invented the Fanta brand, one of the four brands from the Coke empire that are now amongst the five most common soft drinks in the world (the other two being Diet Coke and Sprite).

The COCA COLA Company is the world's largest manufacturer of soft drinks and controls more than half of the global market. While its turnover sank for the third year running in 2015 (to 44.3 billion US dollars), it managed to increase its profits compared to the previous year, reaching the remarkable amount of 9.6 billion US dollars. COCA COLA is the most expensive beverage brand in the world and has been the world's third-most valuable brand for years. The corporation has a large number of local and regional licensees and, in combination with them, has more than 770,000 employees. This means



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that it controls the living conditions of many more people. Working conditions, salaries, promotion chances, the opportunity to join a trade union, job safety in the companies – these things are essential for the employees and their families.

To state it from the offset: there's not much of any of those things in The COCA COLA Company. Time and time again, the corporation is accused of violating labour rights. An outstanding example that is still virulent today is Columbia.

In 1987, various trade unions of the food sector in Columbia founded an umbrella organisation, the National Union of Food Industry Workers (SINALTRAINAL). In the 1990s, the conditions of the employees' struggles grew constantly worse due to political decisions. For example, some businesses were split up into smaller units, some of which were registered as „cooperatives“. Their „members“ are not allowed to form trade unions, because they are formally considered the „owners“ of their businesses. All the same, SINALTRAINAL gained increasing influence and was strongly represented in some businesses and enterprises of The COCA COLA Company.

There were four leading companies that were active for COCA COLA in Columbia: Bebidas y Alimentos, COCA COLA de Colombia, Panamerican Beverages and Panamco Colombia. Bebidas y Alimentos and COCA COLA de Colombia are wholly owned by the corporation while the other two work exclusively for COCA COLA and are the largest bottling companies in Latin America. Columbia has been dominated by violence for decades in a way that is almost unique in Latin America. There are several active guerilla groups, and the government uses this as a reason for utmost military severity. Anyone making any kind of opposition or any attempts to determine one's own living conditions is denounced as being part of the guerillas. More than seven million displaced people in the country and hundreds of deaths per year show the raging brutality that is used. For some decades, part of the worst repression has been moved from the state's violence apparatuses to seemingly independent groups. After „clocking out“, so to speak, police officers and soldiers who are members of paramilitary forces murder political opponents, indigenous activists, dedicated grass-roots religious activists and priests. Trade unionists are among their preferred victims.

COCA COLA has frequently profited from the paramilitary groups, almost inevitably giving rise to the suspicion that there is coordination and cooperation between them. In 1994, Jose Eleazar Manco David and Luis Enrique Gomes Granado were shot dead. Both were employees of Bebidas y Alimentos in Carepa, a town in the north of the country, and SINALTRAINAL members. Other trade unionists and their families were threatened, forcing all board members of SINALTRAINAL to flee Carepa. The new trade union leaders Isidro Gil and Dorlahome Tuborqía were put under pressure from the beginning; the latter was laid off by Bebidas manager Milan Mosquera. The trade union brought an action against the dismissal and managed to have him reinstated in a court trial. In response, the COCA COLA boss

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Mosquera publicly declared his sympathy for the paramilitaries and announced that he would „destroy the trade union“.

Indeed, Isidro Gil was shot dead the exact day on which negotiations about better working conditions were scheduled between the company management and the trade union. Subsequently paramilitaries called up all employees and strongly recommended that they should leave the trade union if they wanted to save their lives. This meant that from that time onwards, SINALTRAINAL was practically non-existent in Carepa. Isidro Gil's wife was murdered by paramilitaries in 2000.

This repressive pressure and the aforementioned restructuring of the companies – in the 1990s, nearly all of the more than 10,000 COCA COLA employees in Columbia had permanent contracts and an average income of approximately 600 US dollars per month; in the early 2000s this was only true for 2,500 employees, while the others were considered self-employed – brought the average wage down to 150 US dollars.

Trade union members in other COCA COLA enterprises and businesses in Columbia were harassed and threatened as well. A popular method was for the business management to accuse active colleagues of being dangerous guerilla members. In some cases this led to long imprisonments of the people in question; in other cases there were physical attacks including gunshot wounds. All in all, eight active COCA COLA trade unionists were killed between 1994 and 2001 alone; more died afterwards. A colleague from SINALTRAINAL declared in an interview in 2002: „There is no country in the world where so many trade union members die a violent death as in Columbia. Out of four trade unionists in the whole world who are killed for their activities, three come from Columbia. In the last year alone, nearly 160 trade union members were killed; in the last decade, their number was close to 4,000. It is remarkable that the number of murders rises during labour disputes and business conflicts.“

In 2001, SINALTRAINAL brought an action against The COCA COLA Company and the four Colombian bottling plants at a court in Florida, so „the corporation will be found responsible for the attacks on and murders of trade unionists, the victims will receive moral and economic compensation, and attention will be drawn to the situation of trade unions in Columbia.“ The lawsuit was accepted, but was dismissed in 2007. This does not mean by any means that COCA COLA was acquitted. Instead, the court argued that the material provided was not sufficient for a verdict against the corporation and that the case could not be decided from Florida.

It is unlikely that future court decisions will be different unless serious investigations take place on site. Even now, COCA COLA has done nothing to clear up the matter. The statement of paramilitary chief Carlos Castaño shows their common interest: „We kill trade unionists because they interfere with people working.“ The accusations still have not died down; on the contrary, new investigations were announced in Columbia in August 2016. More than 50 companies including COCA COLA are accused of



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having financed the former umbrella association of paramilitary organisations, „United Self-Defenders of Columbia“ (AUC), for years. The only reason the case has not been in court so far is that the peace agreement between the state and the FARC guerilla group is not in force yet.

The development towards a new investigation is also the consequence of a hunger strike of active COCA COLA trade unionists in April 2015. Up to then, 12 Columbian COCA COLA workers had been murdered. There had been attacks on the families of employees who were organised in unions, and 68 death threats. The multinational company had filed lawsuits against more than 30 active trade unionists. However, despite numerous reports about secret meetings between members of COCA COLA's management and paramilitaries, there is no investigation against the corporation in Columbia.

The hunger strikers addressed another topic that haunts the beverage giant all over the world. They declared that COCA COLA was contaminating wetlands close to Bogotá and illegally appropriating water. According to their estimate, the city would suffer a loss of 46 billion pesos (18.4 million euro) for the water supply, and a planned new plant in the communal district of Tocancipá alone would take up 68.58 per cent of the water contingent that existed there. Similar accusations have been made and continue to be made globally.

An employee of the Diakonisches Werk (a charitable organisation of Protestant churches in Germany and Austria) participated in an international fact-finding mission to find out more about violations of the human right to water in South India. She reports: „In 1999, the COCA COLA corporation Hindustan Beverages built a water-bottling plant in the village of Plachimada in the south-west of India. To cover the water demand, the company drilled 60 to 65 wells and drew about 600,000 litres of clean groundwater per day. Every day, around 85 lorries with 550 to 600 beverage crates would leave the premises. ... It was only six months until the villagers noticed that the groundwater table had fallen and their domestic wells were drying up. There was not enough water for the fields with coconuts and bananas and for the rice plantations, so the crops couldn't ripen. The crop failure meant that the villagers lost their work as day labourers on the plantations. ... To defend themselves against the corporation, the villagers filed a suit in the district court in Palakkad. ... The results found by the commission the court appointed for investigations of the water quality, as well as further trials, led to the final closure of the water-bottling plant in Plachimada in 2005. An expert commission certified that the groundwater had been contaminated, that the agricultural areas had been polluted with industrial waste, and that the rural population had suffered violations of their rights to water, income and life quality.“

I denounce The COCA COLA Company for these and numerous others violations of human rights, of the Earth's ecological limits and of ethical justice. It has certainly earned its Black Planet Award.

I consider the development of global capitalism and the associated crimes a structural problem, and I am not a particular fan of extreme personalisation. However, chairpersons, CEOs and shareholders of



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multinational companies are human beings who have senses to perceive the world and a head to think. They have the ability to realise the destruction wrought by their company. Muhtar Kent, James Quincey, Warren Buffett and Herbert A. Allen do not show any such awareness.

That is why I denounce Muhtar Kent, symbol of the international entanglements, the political influence and also the criminal energy of the COCA COLA corporation. His statement that „when you don't see cash, all things go wrong“ shows that he rides roughshod over human ethics, driving forward the ruin and destruction of our Blue Planet and turning it into a Black Planet.

I denounce James Quincey, who is responsible for the corporation's entire operative business and therefore accountable for all of its offences.

I also accuse the major shareholders Warren Buffett and Herbert A. Allen, who own the corporation along with other people. They could enforce a different corporate policy, but they don't. They act in the interest of personal power and private gain, trampling over morals and ethics and risking the world's deterioration into a Black Planet.

Like the corporation, the executives and major shareholders Muhtar Kent, James Quincey, Warren Buffett and Herbert A. Allen fully deserve the Black Planet Award 2016.

Thank you!

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Greetings

Ray Rogers (USA)⁷⁷

Killer Coke: The Drink That Represses

Thank you Ethecon for inviting my participation in this year's Black Planet Award presentation (via Skype).

I wholeheartedly applaud Ethecon's decision to award its 2016 Black Planet Award to The Coca-Cola Company, its top executives Muhtar Kent and James Quincey and largest shareholder Warren Buffett. Coca-Cola is deserving of many such awards because of the harm the company and its bottlers worldwide continue to inflict on people and the planet.

Coca-Cola operates like a criminal syndicate, above the law and with impunity. Its executives lie about, try to cover-up and avoid responsibility for the company's well-documented human rights abuses including years of complicity in the systematic intimidation, kidnapping, torture and murder of union leaders and members of their families in Colombia and Guatemala.

Coca-Cola has repeatedly lied claiming that the United Nations International Labor Organization (ILO) had agreed to do an independent investigation into charges that Coca-Cola in Colombia collaborates with paramilitary death squads to thwart union organizing and destroy the union SINALTRAINAL that organizes Coca-Cola workers. Coke then embellished the lie claiming that the ILO had exonerated Coca-Cola. The ILO admitted that it had never agreed to do such an investigation and, in fact, is not qualified to do so. On August 30, 2016, Colombia Reports based in Medellin, Colombia reported: "Coca-Cola is one of more than 50 companies that will be charged with financing the now-defunct Colombian paramilitary AUC group, a designated terrorist organization. Several courts will reportedly forward evidence of the involvement of the companies in financing the AUC..."

Subcontracted workers which make up most of Coke's workforce in Colombia are fired by Coca-Cola whenever they try to join SINALTRAINAL. In the 2010 documentary, "The Coca-Cola Case," produced by the National Film Board of Canada, there is a scene in which two subcontracted Coca-Cola workers in Colombia, wearing Coca-Cola uniforms and standing in front of a Coca-Cola truck, are asked, "Are you unionized?" They respond, "No, you can't join the union or you'll be fired." Then they were asked, "How much did you make today?" They responded, "\$15 dollars for 15 hours!" These working conditions continue in Colombia.

Coca-Cola's unconscionable exploitation of children continues unabated. Through repeated lies and bogus "independent investigations" similar to its phony "ILO investigation," the company is now trying

⁷⁷ Ray Rogers is Initiator and Volunteer Director of the Campaign to Stop Killer Coke.



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to hide its decades of profiteering from the exploitation of illegal child labor in the dangerous harvesting of sugar cane for its sugar processors.

Another scam that has very serious implications worldwide is Coca-Cola's repeated lie that it won't market sugar laden sodas to children. Coca-Cola continues to aggressively market these unhealthy beverages to kids worldwide that health experts have shown fuel the childhood obesity, hypertension, dental caries and diabetes epidemics. Coca-Cola's executives and board members have no shame when it comes to raking in profits.

Coke is also guilty of theft and toxic pollution of scarce water resources particularly in places in India, Mexico, El Salvador and African countries that leave populations of people with no water for irrigation, drinking and sanitation. Coke's years of claiming water neutrality has proven to be nothing but a public relations scam! Aggressive campaigns against Coca-Cola in India have forced the closing of several of its plants in the states of Kerala, Rajasthan and Uttar Pradesh and prevented others from opening in Tamil Nadu and Uttarakhand.

I want to emphasize that the World of Coca-Cola is a world full of lies, deception, immorality, corruption and widespread labor, human rights and environmental abuses. When consumers see Coca-Cola machines, cans, bottles, ads and displays, they should think of a company that has inflicted great hardship and despair upon many people and communities throughout the world and made millions of kids very unhealthy and sick.

Killer Coke is the drink that represses. Consumers everywhere concerned with protecting human rights, children and the environment should consider the Coca-Cola brand as Unthinkable and Undrinkable.

Peace & Justice

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Draft

by the international Permanent Peoples' Tribunal (PPT)⁷⁸ for a Charter on „Human Rights and Industrial Hazards“⁷⁹

About the draft

A Tribunal of five international judges held in London from 30 November to 2 December 1994 marked the tenth anniversary of the Bhopal disaster. The Permanent People's Tribunal (PPT) on „Human Rights and Industrial Hazards“ heard evidence and recommendations from professionals, victims' organisations, public interest groups and individuals on the impact of hazardous production on workers, communities and the environment, and the lack of redress for victims. This was the fourth and final of the PPT Tribunals on Industrial Hazards and Human Rights, which contributed to the development of a Charter on Industrial Hazards and Human Rights.

The world has now acquired ample experience of industrial and environmental hazards. Lessons must be learned from these experiences so that those who have died and suffered will not have done so entirely in vain. Judgement of the PPT held in Bhopal, October 1992

Formed because of devastating industrial disasters such as: Seveso (1976) Italy, Bhopal (1984) India and Chernobyl (1986) Ukraine, the Permanent Peoples' Tribunal (PPT / Permanent Court of Peoples) started to work (1991-1994) to address the lack of legal and medical protection of affected workers, residents and collateral and environmental local industrial risks.

Issues of civil protection, liability of operators, international law and many other problem areas of industrial production were addressed. The PPT was constituted on the 10th anniversary of the Bhopal disaster as a proposal for a "Human Rights and Industrial Hazards" Charter ("Industrial Hazards and Human Rights").

Nearly five years in drafting, the Charter is based on a series of public hearings held by the Tribunal in New Haven, USA (1991), Bangkok, Thailand (1991), Bhopal, India (1992), and London, UK (1994).

⁷⁸ The Permanent Peoples' Tribunal (PPT), based in Rome, was formed in 1979 as the successor to the Bertrand Russell Tribunals on crimes against humanity. The PPT is an independent forum that examines violations of the rights of peoples, and suggests remedies for such violations. It is composed of over 60 members from all parts of the world who are eminent as jurists or in other fields including the arts, culture, science and politics. A number of judges are Nobel prize winners. The Tribunal submits its findings to the Secretary General of the United Nations, to other United Nations organisations as appropriate, and to other national and international bodies.

The Tribunal attempts to fill gaps in international law, which it seeks to influence by elaborating on such documents as the Universal Declaration of Human Rights (United Nations), the Nuremberg principles, United Nations General Assembly resolutions on de-colonization and the new international economic order.

Hearings are initiated by aggrieved groups, and are normally heard by a bench of 3 to 11 sitting tribunal judges. Accused parties are invited to present their case at the hearings. If they do not attend, the PPT appoints legal counsel to represent their case in a rigorous manner. The PPT applies principles of international law, and is bound by the Algiers Declaration of the Rights of Peoples as well as its own statutes.

⁷⁹ The ethecon founder Axel Köhler-Schnura participated in the final deliberations of the Human Rights Charter "Health, Safety and Environmental Rights" in 1994 in London, where he presented the case study of the "BAYER Group".



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People from many different countries presented evidence. The Tribunal heard testimony from the survivors of industrial hazards, from concerned community groups, and from workers. At the same time, doctors, lawyers, scientists, engineers, and other experts provided information on the origins and effects of industrial hazards.

Despite their diverse backgrounds and experiences, the people who testified told a common story. Industrial hazards are proliferating on a global scale, and they pose a serious threat to human life and health. Moreover, the existing economic, legal, and medical systems are not responding adequately to this feature of globalisation, Victims' groups voiced a common demand for a system which protects them from death, injury, and persistent insecurity. Expert testimony highlighted instances of best practice, but also described the main features of an international order in which hazards are promoted, traded, and protected without effective controls.

The Tribunal held its fourth and final session in London from 28 November to 2 December. The judges heard expert testimony for three days. The Indictment was presented by Graham Reid, Barrister at Law and the Defence was presented by Andreas O'Shea, Barrister at Law. The evidence was heard by six judges: Francois Rigaux, Professor of Law, Catholic University of Louvain, Belgium and President of the Permanent Peoples' Tribunal (Chairman)

Dr. Rosalie Bertell, President, Institute of Concern for Public Health, Canada

Salak Siveraska, Santi Pracha Dhamma Institute, Thailand

Justice Subhan, former Judge, Bangladesh Supreme Court

Tina Wallace, Development Administration Group, University of Birmingham

Dr. Timothy Weiskel, Director, Harvard Seminar on Environmental Values

The judges were assisted by: Dr. Gianni Tognoni, Epidemiologist at Mario Negri Research Institute, Milan and Secretary General of the Permanent Peoples' Tribunal

Joe Verhoeven, Professor of International Law, Catholic University of Louvain, Belgium The judges pronounced their findings and judgement at a press conference at the House of Commons on 2 December, hosted by Harry Cohen MP and John Hendy QC.

The Charter

The Permanent Peoples Tribunal on Industrial Hazards and Human Rights,

Having convened four Sessions in New Haven, Bangkok, Bhopal and London since 1991 to receive testimony and deliberate on issues relating to the right to life, occupational health and safety, environment protection, risk management and damage reduction in the wider global context of hazardous production;

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Having drafted over a period of four years a charter of rights designed to reflect the views and concerns of persons injured and distressed by industrial hazards, and having issued on the second day of December 1994 a Draft Charter for comment and discussion among individuals and non-governmental organisations, including trade unions;

Following the Universal Declaration of the Rights of Peoples, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, the United Nations Convention on the Rights of the Child, the Vienna Declaration and Programme of Action of the World Conference of Human Rights, the Beijing Conference on Women, the Programme of Action of the World Summit for Social Development and other relevant international human rights instruments;

Guided by the Rio Declaration on Environment and Development, Agenda 21, the Draft Declaration on Principles on Human Rights and the Environment, the Draft Declaration on the Rights of Indigenous Peoples and other relevant instruments for prevention of industrial and environmental hazards;

Guided further by International Labour Organisation conventions and recommendations, including the Convention on Freedom of Association and Protection of the Right to Organise, the Convention on the Right to Organise and Collective Bargaining and the Convention Concerning the Prevention of Major Industrial Accidents;

Gravely concerned by the widespread diffusion of hazardous products and processes resulting in industrial practices which cause human, social and environmental destruction, threatening in particular the habitat, life, economy, society and culture of indigenous peoples;

Deeply concerned by the frequency of small-scale but harmful hazardous events, as well as the magnitude and nature of major industrial accidents, including the incidents in Seveso, Chernobyl, Bhopal, Basel and elsewhere;

Concerned by the ineffectual national and international system of hazard prevention, post-disaster relief, medical and legal assistance and legal accountability which in their current forms have failed both to adequately prevent occupational and environmental hazards and to bring to account those responsible for world-wide deaths and injuries;

Noting that urgent action is needed to prevent future degradation to human life, animal life and the environment, and to adequately remedy the harms caused by industrial hazards;

Recognising that the personal experience and repeated demands of community members and workers affected by hazards provide the most sound basis for the enunciation of rights;



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Cognizant of the inherent limitations of national and international law, as well as the vital role of community organisations and people's movements in preventing and ameliorating industrial hazards;

Convinced that new national and international systems of prevention, relief and legal accountability must be formulated and established;

Declares the following:

Part I

Rights of General Application

Article 1:

Non-discrimination

1. Everyone is entitled to all the rights and freedoms set forth in this Charter without distinction of any kind, such as race, colour, sex, language, religion nationality, political opinion or affiliation, ethnic or social origin, disability, age, property, sexual orientation, birth, income, caste or any other status.
2. On account of the particular discrimination faced by women, both as waged and unwaged workers, attention should be given to the specific application of the rights stated below where women may be affected.
3. On account of their vulnerability and exploitation in the labour market, special protection should be accorded to children exposed to industrial hazards.
4. On account of the connection between low wages and hazardous working environments and the disproportionate impact of industrial hazards on racial and ethnic minorities, special protection should be afforded low-income groups and all minorities.

Article 2:

Relation to Other Rights

The rights in this charter and other human rights, including civil, political, economic, social and cultural rights, are universal, interdependent and indivisible. In particular, freedom from hazards, including the right to refuse hazardous employment and the right to organise against hazards, depends upon the full implementation of social and economic rights, including the rights to education, health and an adequate standard of living.

Article 3:

Right to Accountability

All persons have the right to hold accountable any individual, company or government agency for actions resulting in industrial hazards. In particular, parent companies, including transnational corporations, shall be liable for the actions of their subsidiaries.

Article 4:

Right to Organise

1. All community members and workers have the right to organise with other local communities and workers for the purpose of seeking to ensure a working environment free from hazard.
2. In particular, the right to organise includes:
 - (a) the freedoms of expression, association and peaceful assembly;
 - (b) the right to form local, national and international organisations;
 - (c) the right to campaign, lobby, educate and exchange information;
 - (d) the right to form trade unions;
 - (e) the right to strike or take other forms of industrial action.

Article 5:

Right to Appropriate Health Care

1. All persons have the right to appropriate health care.
2. In particular, the right to appropriate health care includes:
 - (a) the right of individuals and groups to participate in the planning and implementation of health care;
 - (b) the right of equal access of individuals and families to health care the community can afford;
 - (c) the right to relevant health care services, including where appropriate access to hospitals, neighbourhood clinics, specialist clinics, as well as the services of general practitioners, other medical professionals and health care workers drawn from the affected community;
 - (d) the right to independent information on the relevance and reliability of health care services and treatments including allopathic, homeopathic, nutritional, physiotherapeutic, psychotherapeutic, indigenous and other approaches;
 - (e) the right to health care systems which recognise and take account of the different ways in which hazards affect women, men and children;
 - (f) the right to health education;
 - (g) the development of national, regional and international networks to facilitate sharing of information and experience.

Article 6:

Right of Refusal

1. All communities have the right to refuse the introduction, expansion or continuation of hazardous activities in their living environment.



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2. All workers have the right to refuse to work in a hazardous working environment without fear of retaliatory action by the employer.
3. The right to reject inappropriate legal, medical or scientific advice shall not be infringed.

Article 7:

Permanent Sovereignty Over Living Environments

1. Each state retains the right of permanent sovereignty over the living environments within its national jurisdiction. No state shall exercise this right so as to injure the health or living environments of its people, nor to cause damage to the environment of other states or of areas beyond the limits of national jurisdiction.
2. Each state has the right and the obligation to regulate and exercise authority over hazardous and potentially hazardous enterprises in conformity with the interests and well-being of its people and their environment.
3. No state shall be:
 - (a) refused external finance or assistance on the grounds of its refusal to import or establish hazardous products or processes;
 - (b) compelled to grant preferential treatment to foreign investments;
 - (c) made subject to external threats or coercive measures, whether military, diplomatic, social or economic, intended to affect regulations or policies regarding hazardous production;
4. Transnational corporations and multi-national enterprises shall not intervene in the internal affairs of a host state.
4. Transnational corporations and multinationals may not interfere in the internal affairs of the host country itself.

Part II

Community

Article 8:

Right to Living Environment Free from Hazards

1. All persons have the right to a living environment free from hazards. In particular, this right applies where hazards arise from:
 - (a) the manufacture, sale, transport, distribution, use and disposal of hazardous materials;
 - (b) any military or weapons application, regardless of national security.
2. Any person has the right to raise a bona fide complaint to the owner or occupier of an economic enterprise regarding activities of the enterprise which he or she believes are hazardous to the living environment.

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3. Any person living in an environment from which it is impossible to eliminate a hazard shall have the right to protective safety systems necessary to eliminate any such hazard as far as possible. The owners or occupiers of the concerned hazardous enterprise may not refuse to provide the most effective systems available on the grounds of cost or inconvenience.

Article 9:

Right to Environmental Information

1. All persons have the right to be given reasonable notice of any proposal to establish, expand or modify a hazardous industry in such location or in such a manner as may put at risk public health or the living environment. To achieve the full realization of this right, the following steps shall be taken:
 - (a) All states shall ensure that communities, individuals and non-governmental organisations have the right of access to full information regarding the proposal. This right shall be effective well in advance of official authorization and shall not be abridged by claims of commercial secrecy.
 - (b) All states shall ensure that prior to official approval of any hazardous enterprise, independent and thorough assessments of the impact upon the environment and public health be conducted in consultation with the community. The methods and conclusions of such impact assessments shall be made available for public debate.
2. All persons have the right to be informed, in their own language and in a manner which they are able to comprehend, of any possible hazards or risks associated with any product or process used by any enterprise with which they may come into contact.
3. All persons have the right to be informed of the safety record of any economic enterprises whose manufacturing or industrial processes could affect their living environment, including the number of accidents, the types of accidents that have occurred, the extent of injuries resulting from such accidents and any possible long-term adverse health effects.
4. All persons have the right to be informed of types and quantities of hazardous substances used and stored at the facility and emitted from the facility and contained in any final products. In particular, the right to information includes the right to regular toxic release inventories where appropriate. All persons living in the neighbourhood of hazardous facilities have the right to inspection of factory premises and to physical verification of hazardous substances and processes.
5. All persons who live in environments in which they may come into contact with materials or processes that are known to be seriously hazardous, and which emanate from the activities of an economic enterprise, have the right to be examined regularly by an independent medical expert provided by the owner or occupier of the enterprise.



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Article 10:

Right to Community Participation

1. All persons have the right to participate in planning and decision-making processes affecting their living environment.
2. All persons have the right to planning and decision-making proceedings which are:
 - (a) public and open;
 - (b) accessible to all in timing and location;
 - (c) widely advertised in advance;
 - (d) not restricted by literacy, language or format of contributions.
3. All persons have the right to express their concerns and objections relating to hazards associated with establishing, modifying or expanding any economic enterprise.
4. All persons have the right to participate in the design and execution of on-going studies to determine the nature of any hazards to the living environment resulting from an economic enterprise.

Article 11:

Right to Environmental Monitoring

1. All persons have the right to regular and effective monitoring of their health and the living environment for possible immediate and long-term effects caused by hazardous or potentially hazardous economic enterprise.
2. All persons have the right to be consulted on the frequency, character and objectives of environmental monitoring. The right to organise nonprofessional monitoring strategies, such as lay epidemiology, shall be protected. The rights of women, whose experience in providing health care may reveal otherwise unidentified consequences of hazards, are particularly affirmed.
3. Any person, who bona fide believes that his or her community environment is endangered by the actions of any economic enterprise, has the right to an immediate and thorough investigation, to be carried out by an independent agency at no cost to the person acting bona fide.

Article 12:

Right to Community Education

1. All persons have the right to the effective dissemination of information regarding hazards in the community. This right extends to instruction based upon the best available information and standards, drawn from both national and international sources.
2. States shall take effective steps to provide for:
 - (a) clear and systematic labeling of hazardous substances;

- (b) appropriate education of the community, including children, on hazardous products and processes;
- (c) training of police, medical professionals and other service providers on hazardous products and processes.

Article 13:

Right to Community Emergency Preparedness Procedure

1. All persons have the right to an appropriate emergency preparedness procedure. Such procedure shall include warning systems for impending dangers and systems for immediate relief efforts.
2. All states shall take steps to provide communities with adequate emergency services, including the provision of police, fire fighting, medical and paramedical facilities and disaster management services,

Article 14:

Right to Enforcement of Environmental Laws

1. All persons have the right to have their local environment adequately and frequently inspected by a trained environmental inspector who will rigorously enforce the law and take punitive legal action when serious breaches have taken place.
2. All persons have the right to environmental management legislation in compliance with the precautionary principle, so that where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason to postpone cost-effective measures to prevent hazards and environmental degradation.

Article 15:

Rights of Indigenous Peoples

1. Indigenous peoples have the right to protect their habitat, economy, society and culture from industrial hazards and environmentally destructive practices by economic enterprises.
2. Indigenous peoples have the right to control over their land and to resource management of their land, which includes the right to assess potential environmental impacts and the right to refuse to allow environmentally destructive or hazardous industries to be set up on their land.



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Part III

Rights of Workers

Article 16:

Specific Rights of Workers

In addition to their rights as members of the community, workers have specific rights applicable to their working environments.

Article 17:

Right to Working Environment Free from Hazards

1. All workers, both waged and unwaged, have the right to a working environment free from any existing or potential hazard arising directly or indirectly from the activities of any economic enterprise in particular from manufacturing or other industrial processes.
2. Any worker has the right to raise bona fide complaints to the employer or any outside parties regarding conditions or practices in the working environment that he or she believes are harmful or hazardous without fear of retaliatory action or other discriminatory action by the employer.
3. Any individual working in an environment from which it is impossible to eliminate any hazard, shall have the right to have provided, fitted free of charge and maintained in fully effective order, protective safety devices, including personal protective equipment necessary to eliminate any such hazard as far as is possible. Employers may not refuse to provide the most effective equipment available on the grounds of cost or inconvenience.
4. All workers have the right to safe systems of work. All employers have the duty to devise, provide, maintain and regularly update safe systems of work based on the best available information at all times.
5. No worker shall be subjected to exposure to a chemical, product or process when a less hazardous one could be substituted.
6. Governments and employers are responsible for ensuring hazard-free working environments. The inaction by either employer or government shall not be an adequate excuse for a derogation of duty by the other.

Article 18:

Right to Health and Safety Information

1. All workers have the right to be given reasonable notice of any proposed changes to their working environments which may pose a threat to worker health and safety.

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2. All workers have the right to be informed in their own language, and in a manner they are able to comprehend, of any known health hazard associated with any substance, material or process with which they come into contact during the course of their employment.
3. All workers have the right to be informed of the safety record of the work environment in which they are employed, including the number and type of accidents that have occurred, the extent of the injuries resulting therefrom and any known long-term adverse health risks that result from the substances, materials and processes used by the employer. Workers have the right to be regularly informed of the safety records of any economic enterprise affiliated by common ownership to the economic enterprise in which they work, and which uses any similar substance, material or process to that used in their work environment.
4. All workers employed in hazardous work environments have the right to be examined by an independent medical expert provided by the employer at the commencement of employment, and thereafter at periodic intervals defined on the basis of the most conservative estimate of potential risks, but in any case not exceeding one year and to be furnished with the resulting medical information.

Article 19:

Right to Worker Participation

1. All workers have the right to participate effectively in management decision-making affecting health and safety.
2. All workers have the right to elect safety representatives. Such representatives have the right to participate in joint committees, composed of worker and management representatives in equal number, which meet regularly to address health and safety matters.
3. All workers have the right to participate in the design and execution of ongoing health and safety studies in their working environments to determine the nature of any risks to health and safety.
4. All workers have the right to establish and associate with community hazards centres and information networks. Governments and employers have a responsibility to support such organisations and programmes.

Article 20:

Right to Health and Safety Monitoring

1. All workers have the right to a work environment that is regularly and effectively monitored for possible harmful effects to the health and safety of the workers employed therein.
2. Notwithstanding the duty of employers to monitor working environments, the right of workers to seek independent or worker-based monitoring shall not be infringed. This right includes the right to

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regular monitoring for possible adverse, long-term effects which may result from contact with the substances, materials or processes used in the working environment.

3. Any worker who bona fide believes that his or her health and safety is being or will be endangered by any substance, material or process used in the work environment has the right to an immediate and thorough investigation, to be carried out by the employer, an independent agency or by other means, at no cost to the worker.

Article 21:

Right to Instruction and Practical Training

1. All workers in contact with hazardous or potentially hazardous substances, materials or processes have the right to ongoing instruction and practical training regarding management of the hazard. The right to instruction and practical training based on the best available information, drawn from both national and international sources, is affirmed.
2. All workers and supervisors have the right to know and be fully instructed about the proper use and handling of any hazardous materials, the proper execution of any processes, the precautions necessary to protect health, safety and the living environment, and any procedures which should be followed in the event of an emergency.

Article 22:

Right to Workplace Emergency Preparedness Procedure

1. All workers have the right to an emergency preparedness procedure appropriate for the conditions or practices in their work environment which shall include warning systems for impending dangers and systems for immediate relief efforts, with full scale emergency preparedness rehearsals and desk top exercises to be held frequently.
2. Emergency preparedness procedures shall take account of the particular needs of individual workers, including those with visual, hearing or mobility impairments.
3. All workers have the right to adequate emergency services, including police, fire fighting, medical and paramedical facilities and disaster management.

Article 23:

Right to Enforcement of Health and Safety Laws

1. All workers have the right to have their work environments adequately and frequently inspected by a trained health and safety inspector who will rigorously enforce the law and take punitive legal action when serious breaches have occurred.
2. All workers have the right to adequate planning control legislation in compliance with the precautionary principle, so that where there are threats of serious or irreversible damage, lack of full scien-

tific certainty shall not be used as a reason to postpone cost-effective measures to prevent hazards and environmental degradation.

Part IV

Common Rights to Relief

Article 24: Right to Relief and Compensation

1. All persons injured or otherwise detrimentally affected by any hazardous economic activity have the right to swift comprehensive and effective relief. This right applies to all persons affected by hazards or potential hazards including persons not yet born at the time of injury or exposure, and those injured, bereaved or economically and socially disadvantaged, whether affected directly or indirectly.
2. This right includes the right to fair and adequate monetary compensation, paid to cover all costs associated with hazardous or potentially hazardous activities, including the costs of:
 - (a) drugs, tests, therapies, hospitalisation and other medical treatments;
 - (b) travel and other incidental costs;
 - (c) lost wages, bridging loans and other pecuniary loss;
 - (d) redundancy and unemployment in the case of plant shutdown;
 - (e) additional unwaged work including health care, born by family and community;
 - (f) any purchase, measure or lost opportunity caused directly or indirectly by hazardous processes or products;
 - (g) environmental rehabilitation.
3. All persons affected by hazards have the right to effective and innovative policies to reduce, abate or compensate for hazardous activities. To achieve the realization of this right, the steps taken by states and businesses shall include:
 - (a) plant shutdown;
 - (b) pollution abatements or cessation;
 - (c) guarantee by liable defendants to keep assets unencumbered;
 - (d) forced liquidation of the assets of a corporation whose liability is equal to or greater than its measurable assets;
 - (e) placement of corporate assets in annuity funds controlled by the persons affected or their representatives for the interests of persons affected;
 - (f) fair and adequate compensation for the costs of the medical monitoring of symptoms;
 - (g) other remedies that may be deemed to be necessary for the benefits of persons affected.
4. Funds shall be established adequately to satisfy the claims for the persons affected and of those affected in future.



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Article 25: Right to Immediate Interim Relief

1. All persons adversely affected by any hazardous economic activity have the right to immediate and adequate interim relief to alleviate their injuries and suffering during the time that liability and compensatory damages are being determined. States shall ensure that all hazardous or potentially hazardous enterprises provide financial resources, through insurance or other means, adequate to cover potential interim relief costs.
2. Where an economic enterprise fails to provide interim relief, it shall be the duty of the state to do so. Interim relief so provided will not be set-off against any final compensation allowed by the court.

Article 26: Right to Medical Information

All persons immediately or subsequently affected by hazardous activities, including persons unborn at the time of the exposure to hazard, have the right to obtain relevant documents pertaining to injuries, including medical records, test results and other information.

This right may be exercised at the earliest opportunity and may not be made subject to delay or non-compliance by either government or industry. Such disclosure shall not be made in a manner so as to prejudice the affected person's right of access to any service, insurance, employment or any social or welfare opportunities.

Article 27: Right to Professional Services

1. All persons adversely affected by hazardous activity have the right of access to effective professional services, including the services of lawyers, journalists, scientific experts and medical professionals.
2. Where questions of a scientific or medical nature are in dispute, all affected persons, or their representatives, have the right to genuinely independent advice, free from fear or favour. The right to seek independent or multiple advice is affirmed.
3. Professionals and experts shall refrain from:
 - (a) giving advice on the basis of inadequate information or expertise;
 - (b) obstructing the efforts of workers and communities to seek information, conduct research or gather data through lay epidemiology or other means;
 - (c) acting in concert against the interests of workers and communities.
4. All professionals having control of any information concerning the health of any injured or hazard-affected person shall have a primary duty of care towards the well being of that person. This duty shall at all times take precedence over any allegiance to any third party, including any government, professional organisation or commercial enterprise.

Article 28:

Right to Effective Legal Representation

1. All persons adversely affected by hazardous activities shall have the right to employ Independent legal counsel.
2. All states shall provide free legal representation and legal assistance by an independent legal expert, in any case where the interests of justice so require.
3. In the determination of any suit, the persons affected shall be entitled to consolidate the claims under:
 - (a) the auspices of a workers' or community organisation; or
 - (b) class action laws in which the rights of any persons affected are determined in one action.
4. All persons bringing or attempting to bring legal action have the right to inspect any relevant legal files held by their legal representative.

Article 29:

Right to Choice of Forum

1. All persons adversely affected by hazardous activities have the right to bring law suit in the forum of their choice against alleged wrongdoers, including individuals, governments, corporations or other organisations. No state shall discriminate against such persons on the basis of nationality or domicile.
2. All states shall ensure that in the specific case of any legal claims arising from the effects of hazardous activities, any legal rule otherwise impeding the pursuit of such claims, including legislative measures and judicial doctrines, shall not prevent affected persons from bringing suit for full and effective remedies. In particular, states shall review and remove where necessary, legal restrictions relating to inconvenient forum, statutory limitations, limited liability of parent corporations, enforcement of foreign money judgments and excessive fees for civil suits.

Article 30: Right to Pre-trial Documentation

All persons adversely affected by a hazardous activity and their representatives, have the right to seek and receive relevant documents, records or other information for submission in court or other independent tribunal or forum, for establishing individual, corporate, organisational or governmental liability during litigation.

Article 31: Right to Fair Procedure

All persons adversely affected by hazardous activities shall have the right to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Included in this right is the right to the due process of law, including;

- (a) the right to opt out of class actions;

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- (b) the right to a reasonable notice and communication before an out-of-court settlement in a civil suit is reached;
- (c) the right to bring lawsuit notwithstanding the period of limitation set by administrative, legislative or judicial or any other means.

Article 32:

Right to Freedom from Fraud and Delay

All persons adversely by hazardous activities shall have the right to be protected against fraud by corporations, government or other organisations. Also prohibited is intentional delay or obstruction of the legal process, including:

- (a) declaration of bankruptcy;
- (b) abuse of the legal process to prolong adjudication;
- (c) fabrication of evidence.

Article 33:

Right to Enforcement of Judgments or Settlements

All persons adversely affected by hazardous activities and their representatives, shall have the right to enforce any judgment or settlement against the assets of the liable or settling party in any other countries and it shall be the duty of each state to provide under domestic law such comprehensive instruments as assist any of its citizens so affected.

Article 34:

Right to Shift the Burden of Proof

1. Where there is prima facie evidence that death or injury was caused by an industrial hazard, the hazardous economic enterprise has the burden of proving that it was not negligent.
2. No person adversely affected by hazardous activity shall be subjected to excessive documentation requirements or strict standards of proof in establishing that the hazardous activity caused their illness or symptoms. The link between hazards and illness shall be presumed if the affected persons establish
 - (a) they suffer from symptoms commonly associated with any harmful substance, or any component thereof, which contaminated the environment; and
 - (b) either
 - (i) they were present within the geographical area of contamination during the period of contamination; or
 - (ii) they belong to a group of persons commonly identified as secondary victims, including the siblings, partners, children or close associates of the original victims of the hazard.

Article 35:

Right to Corporate or State Criminal Accountability

1. All persons, who have suffered injury or death from industrial hazards, have the right to a full criminal investigation into the conduct of the economic enterprise, any concerned government officials and any other concerned individual or organisation. The investigation shall be both immediate and rigorous and shall include an assessment of whether potential criminal offenses, including homicide or manslaughter, have been committed. Where sufficient evidence exists prosecution shall be pursued promptly and vigorously.
2. Where criminal liability of a company and or individual is proved, such fines and or prison sentencing are to be imposed as to have a punitive, exemplary and deterrent effect.

Article 36:

Right to Secure Extradition

Where a person accused of a criminal offense in connection with hazardous activities resides or is located in a state other than that in which the trial is being or will be conducted, the right to demand and secure the extradition of the accused to the trial state is hereby affirmed.

Part V

Implementation

Article 37:

Corresponding Duties

All persons, individually and in association with others, have a duty to protect the rights set out in this Charter. Employers and government officers are under a strict duty of care in vigilant application of the rights. Special responsibility for the realization of the provisions of this Charter lie with trade unions, community groups and non-governmental organisations.

Article 38:

State Responsibilities

All states shall respect and protect the rights of workers and communities to live free from industrial hazards. Accordingly, they shall adopt legislative, administrative and other measures necessary to implement the rights contained in this Charter.

Article 39:

Non-State Action

The absence of state action to protect and enforce the rights set out in this Charter does not extinguish the duties of employers, trade unions, non-governmental organisations and individuals to protect and assert these rights.

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The International ethecon Awards

Both International ethecon Awards are given only to persons and not to institutions in order to counteract the anonymisation of decisions which has been increasingly and systematically practised in the realm of social processes. In both the positive and negative ways it is always humans who bear responsibility. Especially when it comes to negative developments, the responsible love to hide behind the facade of some institution, to blame (alleged) "practical constraints" and "(unavoidable) inherent necessities" for (forcing) their decision.

Both International ethecon Awards have been assigned since 2006. Each year, in spring, an international call is sent out to up to 10,000 organisations and people all over the globe, in which ethecon - foundation for ethics and economy - asks for submission of proposals for the recipients of the two awards. From all the proposals received the prize-winners are then determined in a well-defined procedure.

ethecon's international Blue Planet Award is presented within (the framework of) a festive celebration and handed over to the award winner, who is invited and usually (if possible) present in person or takes part in the ceremony.

ethecon's international Black Planet Award is accorded in the same ceremonial act, but handed over at a later point in time. For this purpose, shareholders' meetings, corporate headquarters or the residences of those vilified are paid a visit; always accompanied by public protests by international social movements and wide-ranging media work. It is quite symptomatic that until now not a single one of those vilified by the International ethecon Black Planet Award has accepted the prize in person and publicly faced the critique.

Hall of Fame

International ethecon Blue Planet Award

2016

Huberto Juárez Núñez (activist of the trade union and workers movement, Mexico)

2014/2015

Tomo Križnar (human rights and peace aktivist, Slovenia)

2013

Esther Bejarano (survivor of the fascist extermination camp Auschwitz, musician, anti-fascist and peace activist, Germany)

2012

Jean Ziegler (anti-globalisation activist, Switzerland)



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2011

Angela Davis (civil and human rights activist, USA)

2010

Elias Bierdel (refugee- and human rights activist, Austria)

2009

Uri Avnery (peace and human rights activist, Israel)

2008

José Abreu (engineer, Venezuela) and Hugo Chavez (revolutionary, Venezuela) – under the name of "El Sistema" they set up a worldwide unique and widely publicized program against poverty, drugs, social negligence and crime that guarantees every child in Venezuela the right to learn to play a musical instrument

2007

Vandana Shiva (peace and environmental activist, India)

2006

Diane Wilson (environmental and peace activist, USA)

Hall of Shame

International ethecon Black Planet Award

2016

Muhtar Kent (Chairman of the Board and CEO), James Quincey (President and COO) as well as Warren Buffett and Herbert A. Allen (major shareholders) of the beverage corporation COCA COLA (USA)

2014/2015

Andrew N. Liveris (CEO) and James M. Ringler (member of board) as well as the major shareholders of the chemical group DOW CHEMICAL (USA)

2013

Anshu Jain and Jürgen Fitschen (CEOs) as well as the major shareholders of the finance company DEUTSCHE BANK (Germany)

2012

Ivan Glasenberg (CEO), Simon Murray (Chairman), Tony Hayward (Senior Independent Non-Executive Director; Environment, Health and Safety Committee) and major shareholders of the commodity trading company DEUTSCHE BANK (Germany)

2011

Tsunehisa Katsumata (chairman), Masataka Shimizu (former president), Toshio Nishizawa (president) and major shareholders of the Tokyo Electric Power Company TEPCO (Japan)

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2010

Tony Hayward (CEO), Bob Dudley (CEO-designate), Carl-Henric Svanberg (chairman of the board) and major shareholders of the oil- and energy company BP (Great Britain)

2009

Owner family Wang and Lee Chih-tsuen (CEO) of the chemical, genetic engineering and electronics company FORMOSA PLASTICS GROUP (Taiwan)

2008

Erik Prince (owner) , Gary Jackson (president) and Chris Bertelli (spokesman) and other accountable executives of the service provider for the military BLACKWATER (USA)⁸⁰

2007

Peter Brabeck-Letmathe (CEO) and Liliane Bettencourt (major shareholder) and other responsible managers and major shareholders of the food and GE-company NESTLÉ (Switzerland)

2006

Shareholders and the management of the agriculture, genetic engineering company and producer of chemical warfare agents MONSANTO (USA)

⁸⁰ After negative headlines in 2008 the company changed its name to XE. Since then, it has changed its name several times.



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The ethecon Foundation⁸¹

Our Blue Planet is in serious danger. This is no longer denied, not even by politics and science.

But the underlying cause continues to be ignored: the greed for profit connected with the worldwide dominant economic system.

This profit-based system is responsible for injustice, exploitation and ecological destruction. The lust for profit is becoming more and more the sole motivational force in our society and in our management of the environment. The devastating consequences of this development may no longer be overlooked: massive unemployment, the breakdown of the health-, education- and social security systems, destitution, poverty and homelessness, egoism, crime and ruthlessness, weapons production and war, climate change and the collapse of ecological systems.

A different world, a just world, may only be achieved through the development and the implementation of ecologically-sound and humane economic and social models not based on profit maximization. To reach this goal, we must start at the roots, that is, within the competing interests of ethics and economy. We must stand up against those who profit from the globalization process and social decay. For the good of ecology and society, the primacy of ethical principles over economy must be asserted. The rescue of our planet will only be possible when the supremacy of the profit principle is replaced by an economic system based on ethical principles.

The transformation of our society in the direction of a just and fair social system with an intact environment and the overcoming of the profit principle cannot be achieved overnight. This requires perseverance and endurance. In order to achieve this necessary change, broad social movements must be established and fragmented forces united. However, good ideas and voluntary commitment alone are not enough. They must be backed by sufficient financial means.

This is where ethecon - Foundation Ethics & Economy comes in. Whereas other groups and organizations – in a historical context – are active for a short time only, ethecon follows the insight, that successful work for the implementation of ethical principles in the interest of ecology and society must be designed to operate on a long-term basis, continuing past the current generation. The legal form as a foundation was deliberately chosen in order to ensure the necessary on-going financial basis for the securing and defence of the principle of solidarity as opposed to the principle of profit.

In order to bequeath future generations with a strong foundation, ethecon needs further endowment contributions, donations and sustaining members. Founded in 2004, the foundation was able to increase its initial capital of 85.000 Euros fourfold through the aid of subsequent endowment contribu-

⁸¹ Detailed information about the Foundation as well as the Foundation's Charter can be found in the brochure "For a world without exploitation and without oppression" (can be ordered free of charge / donation is welcome) as well as on the Foundation's website.



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tions (the latest figures may be found in the foundation's brochure "For a World without Exploitation and Oppression" or on www.ethecon.org).

ethecon seeks people who, in light of the current devastating ecological and social developments, wish to use their financial resources in a responsible way. Many people want not only to talk about a just world, but to find ways to realize it, always with the goal of a sound environment, peace and humane working conditions for coming generations.

Act now

Here is where you can help. If you agree that the prevailing profit-defined conditions must be opposed on a long-range basis, beyond the current generation, then please support ethecon – Foundation Ethics & Economy. If an endowment contribution (from 5.000 Euros) is not possible, your donation or, even better, your sustaining membership (from 60 Euros per year) would be greatly appreciated. It is now possible to make an endowment contribution over a longer period of time, with monthly payments starting at 20 Euros.

All contributions are tax-deductible (national laws may differ on this point). In Germany, the tax-exemption limit is much higher than for regular donations and also more advantageous than for donations to political parties.

Please act now! ethecon needs you, as an endowment contributor, donor or sustaining member. You may reach ethecon – Foundation Ethics & Economy on the internet at www.ethecon.org or here:

Axel Köhler-Schnura (Board of directors)

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