

Summary of the Situation in Guatemala October 2008

The situation in Guatemala

Since the civil war ended in 1996 Guatemala's economy has been growing, but due to one of the most unequal wealth distribution systems in the world and inherent corruption, the people of Guatemala continue to experience poverty, harsh working conditions and a justice system which does little to bring the perpetrators of the increasing incidents of violence against human rights activists to justice¹.

Some parties claim the rising incidences of violence against trade unionists are simply reflective of a general trend of rising violence and social deterioration in Guatemala, however a report published by La Unidad de Protección a Defensoras y Defensores de Derechos Humanos (UDEFEH) reports that 38 out of the 100 cases of violence against human rights activists reported in the first 6 months of 2008 targeted trade unionists². These have included 8 murders, 1 attempted murder, 2 drive-by shootings and the kidnapping and rape of a top union official's daughter, targeted because of her father's work³. The latest murder occurred in September – José Israel Romero Ixtacuy, General Secretary of the Union of the Municipal Electricity Company was shot dead in a restaurant whilst having lunch. Many of those targeted are workers from banana unions, including Miguel Angel Ramirez Enrique (co-founder of the SITRABANSUR union) murdered in March, and Carlos Enrique Cruz Hernández (a member of the SITRABI union) murdered the following month.

Guatemala is now considered one of the most dangerous countries in the world for trade unionists, alongside Colombia⁴. Despite both national and international condemnation of the escalating levels of violence, the Guatemalan government has not yet undertaken any serious investigations nor made any arrests in connection with reported incidents, demonstrating near total impunity towards the perpetrators of these continual violations of fundamental human rights in the country.

Steps towards ending impunity?

The election of President Alvaro Colom in 2007 raised hopes that the situation in Guatemala would change. This hope was strengthened by his participation in the ITUC Conference "*The Role of Trade Union Organisations in Combating Impunity*", held in Guatemala City in January 2008, where he outlined 3 main undertakings for his Government in his inaugural speech: to combat impunity, by supporting effective governance; full respect of human rights and in particular trade union rights; and the securing of social justice⁵. Actions so far have included replacing both the Minister of the Interior and the Attorney general, and replacing both the Director and Deputy Director of the National Police.

The ITUC Conference Declaration called on the international community to support the work of the UN-mandated International Commission on Corruption and Impunity in Guatemala (CICIG). The British government provides both political and financial

¹ OHCHR in Guatemala (2008 – 2009) report

² "Alerta General 02-2008 - Situación de defensoras y defensores del derecho a sindicalización y los derechos laborales" published by Unidad de Protección a Defensoras y Defensores de Derechos Humanos (UDEFEH) – Guatemala.

³ OHCHR in Guatemala (2008 – 2009) report

⁴ ITUC report "Guatemala: trade unions at the heart of the fight against impunity" (March 2008)

⁵ Declaration of the ITUC Conference on "The Role of Trade Union Organisations in Combating Impunity" – 31 January 2008

support for CICIG and the British Ambassador has stated his belief that the establishment of a Special Prosecutors' Office, under the tutelage of CICIG, to investigate high impact cases such as attacks on trade unionists, will lead to more of these cases being investigated and brought to trial⁶.

Trade policy

The ITUC Conference Declaration also emphasised the importance of using the current European-Central America Association Agreement negotiations to ensure trade union and human rights, and respect of ILO core labour standards, were included in the final agreement. Concerns have been raised by the US Labor Education in the Americas Project (USLEAP) that the Central American Free Trade Agreement (CAFTA) has actually weakened United States leverage for supporting workers' rights in Guatemala, as "*weak worker rights protections under CAFTA...replace stronger protections provided under the Generalized System of Preference (GSP)*"⁷.

Next Steps

A Guatemalan delegation of trade unionists is visiting Europe during the first week of November with the aim of informing national Governments, European institutions and the wider international community about the situation in Guatemala. This delegation will ask that the British government bring pressure on President Colom to honour the promises he made at the ITUC Conference in January, but also provide support to the President in his efforts to address corruption and strengthen judicial systems. Continued UK support for the work of CICIG and careful negotiation of the EU-CA Association Agreement would also be vital contributions to reversing the social deterioration and impunity which currently plagues the country.

Further reading

- i) ITUC (2008) "*Guatemala: trade unions at the heart of the fight against impunity*". Available from http://www.ituc-csi.org/IMG/pdf/VS_Guatemala_EN.pdf
- ii) UDEFEGUA (2008) "*Alerta General 02-2008 - Situación de defensoras y defensores del derecho a sindicalización y los derechos laborales*" published by Unidad de Protección a Defensoras y Defensores de Derechos Humanos – Guatemala.
- iii) UDEFEGUA (2008) "*Informe Preliminar de Situación de Defensores y Defensoras de Derechos Humanos Enero – Junio 2008*" published by Unidad de Protección a Defensoras y Defensores de Derechos Humanos – Guatemala.
- iv) USLEAP (2008) "*Worker rights under the new Guatemalan government: a preliminary report*". Available from <http://usleap.org/files/USLEAPReportback2008.pdf>

⁶ Letter from HM Ambassador to Guatemala to Banana Link in response to campaign – 25 September 2008

⁷ USLEAP Quarterly newsletter – Fall 2008 (issue #3)