

#08

UNION VIEW

ITUC International Trade Union Confederation
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→ Belga



Guatemala: trade unions at the heart of the fight against impunity

Grinding poverty and the explosion of the informal economy, harsh working conditions in the maquilas, sexual and racial discrimination... more than ten years after the signing of the 1996 Peace Accords, life for workers in this Central American country is still very difficult, as impunity, corruption and the assassination of trade unionists become dangerously commonplace. Union View reports.

The daily struggle for trade union rights

Threats and murders against a background of social collapse: Guatemala is a black spot on the world map of trade union rights violations.

On 15 January 2007, Pedro Zamora, the General Secretary of the Puerto Quetzal harbour company workers' union (Sindicato de Trabajadores de la Empresa Portuaria Quetzal – STEPQ), was killed in a hail of bullets as he was driving his children home from a routine hospital appointment. He had received several death threats during the battle he led with his union against the privatisation of Puerto Quetzal and the ensuing job losses. Other union leaders had also received threats, as had Zamora's brother, who has replaced him as the STEPQ's general secretary. A wave of protest actions followed at the national and international level (1). Despite this rallying of support, which made the Zamora case emblematic of the fight against impunity in both Guatemala and the whole of Latin America, the inquiry, if indeed there has been one, does not seem to have made any progress. Today, more than a year after his assassination, those responsible—the killers and those who gave the orders—are still at large. On 31 December 2007, the house of senior CUSG official Carlos Mancilla was attacked by heavily-armed gunmen.

On 28 January 2008, the day before the official opening of the international trade union conference against impunity in Guatemala (see page 3), the headquarters of the CGTG was attacked by two armed men who threatened to kill staff and took two computers containing information about the union. The CGTG, the General Guatemalan Workers' Centre (Central General de Trabajadores de Guatemala), is one of the ITUC's affiliated organisations in the country, together with the CUSG, the Confederation of Trade Union Unity of Guatemala (Confederación de Unidad Sindical de Guatemala).

"Sadly these three incidents are not isolated cases," explains Pepe Pinzón, general secretary of the CGTG, who fortunately was not there when his organisation's offices were "visited". The target of several death threats himself, he is convinced the intruders were not mere thieves. "Violence is commonplace in our country. The main source of the violence is the national civilian police force. Government and employers collude with each other, which undermines the population and leads to widespread breaches of trade union rights. It is highly organised and all the more difficult to combat when the source is the government itself."

Guatemala ranks alongside Colombia as one of the most dangerous countries in the world for trade unionists. Corruption, drug trafficking and "maras" (gangs of juvenile de-



Pedro Zamora, leader of the dockworkers' union, was the target of systematic harassment following his efforts to stop the privatisation of the Port of Quetzal. On 15 January 2007, assailants opened fire on his car. He was hit by around 20 of the hundred or so bullets fired at his vehicle. One of the assailants then approached the car and shot him in the face. Despite Zamora's desperate efforts to protect his children, his three-year-old son was wounded.

linquents) are part of daily life for the workers of Guatemala. It is estimated that about 6000 people die a violent death every year, and that every day two women, on average, are murdered, to the extent that the term "feminicidio" ("femicide") has entered into current usage in Guatemala (see article p.10).

Social breakdown

Civil war raged in Guatemala for 36 years, from 1960 to 1996, leaving 260,000 dead or disappeared and driving 1,200,000 Guatemalans into exile. The peace accords signed by the government of President Arzu and the Guatemalan National Revolutionary Unity (URNG) stipulated that the State should set up a programme of reconciliation for the Guatemalan people. Its principal objectives were to be a reduction in extreme poverty and the reconstruction of a country devastated by 36 years of war. Today, more than 11 years after the signing of the peace accords, the picture is gloomy. The country is facing social breakdown as a result of extreme violence and the weakness and ineffectiveness of the institutions of the State, ridden with corruption and drug trafficking.



There is a covert policy of using death squads in Guatemala and they are found within the civilian police force. The violence is linked to organised crime and drug trafficking.



J.E. Pinzón Salazar
(CGTG)

More information on the violation of trade union rights in Guatemala can be found in the country section on Guatemala in the ITUC's Annual Survey of Violations of Trade Union Rights, which is available on the ITUC website at: <http://survey07.ituc-csi.org/>



Violations of Rights

Guatemala has signed and ratified the eight core Conventions of the International Labour Organisation (ILO), but these fundamental standards are systematically violated.

In 2007, in addition to the frequent attacks on fundamental workers' rights, the country saw not only the assassination of Zamora but also the murders of Walter Anibal Ixcaquic Mendoza and Norma Sente de Ixcaquic (see page 8) from the FESTRI trade union, of Marco Tulio Ramirez from the banana workers' union, in September (see page 9), and a heavily armed attack on the home of Carlos Mancilla, leader of the CUSG, on New Year's eve 2007. Guatemala has one of the world's worst records for unsolved murders.

A glimmer of hope?

The recent election of Alvaro Colom, from the centre left, as President of the Republic, has given Guatemalans a glimmer of hope, even if they don't believe in miracles. "We hope the new president will get things moving," explains Silvia Marina Grevalo Santos, a maquila worker who has just lost her job. "It will be very difficult, there is no doubt about it. He must do what he promised: help the Guatemalan people. He said he will treat the ordinary people the same way as the rich. We are impatient for change, but it is an enormous task."

(1) The ITUC and the International Transport Workers' Federation (ITF), for example, lodged an official complaint with the International Labour Organisation about the assassination of Pedro Zamora and called on the Government of Guatemala to carry out a full inquiry so that those responsible are identified and brought to justice. A joint ITUC/ITF mission to the country denounced the serious failings of the police investigation. Following this international trade union mission, nine dismissed workers were reinstated in their jobs.

(2) The ITF broadcast a video report that you can see (in English only) at the following address: <http://survey07.ituc-csi.org/getcountry.php?IDCountry=GTM&IDLang=EN>



An international trade union conference on combating impunity

The assassination of Pedro Zamora and the mounting violence and abuses of trade union rights led the ITUC, its regional organisations ORIT and CLAT (1), its Guatemalan affiliated organisations the CGT and the CUSG and the International Transport Workers' Federation (ITF) to organise an international trade union conference from 29 to 31 January 2008 on combating impunity. In his opening speech, President Colom gave a firm commitment to social dialogue and to protection of women and indigenous peoples, and promised to wage a determined struggle against impunity and "corruption, wherever it is found, even in my own family!", the aim of the conference was to devise and apply political and trade union strategies to promote respect for core labour standards, to strengthen the trade unions' capacity to fight impunity, and to secure thorough investigations into the murders of trade unionists so that those responsible are brought to justice and sentenced as soon as possible.

In its final declaration (2), the Conference called for full investigations into the murders of trade union leaders and stressed the urgent need to lay solid foundations for social dialogue as a means of generating trust between the social partners. It also stressed the need to step up labour inspections. In addition, an appeal was made to the international community to strengthen its political support for the International Committee against Impunity in Guatemala (CIGIG), which receives UN support and whose Director Carlos Castressana made a powerful impression at the conference. Finally, the international trade union movement drew attention to the need to wage an international campaign in Guatemala and Central America to strengthen the right to freedom of association and collective bargaining as established in ILO Conventions 87 and 98.

(1) On 29 March 2008, a regional unification congress will result in the creation of the new Trade Union Confederation of the Americas (TUCA).

(2) To read the declaration in full please go to: http://www.ituc-csi.org/IMG/pdf/SY_DECLARACION_FINAL_CONFERENCIA_CSI_CONTRA_IMPUNIDAD_EN_GUATEMALA_-_29-31_enero_20081.pdf



Export Processing Zones – rights free zones?

There are 250 maquilas (export factories) in Guatemala's export processing zones (EPZs). Most are in linked to the textile industry, and principally employ women. Harsh working conditions are commonplace and violations of trade union rights systematic.

Limitations on freedom of association, restrictions on the right to strike and a total lack of collective bargaining are common features of the export processing zones that have grown up in Guatemala since the seventies.

The way they operate is very simple: a country that wants to attract foreign investors in order to increase exports, create jobs and add to its foreign currency reserves offers investors conditions that allow them to carry out their business without having to pay taxes on either the production or export of their products. While it is true that they have created many jobs, there is good reason to question the quality of the jobs, as the conditions are so harsh and so far removed from the concept of decent work.

Age discrimination against women

More than 75 per cent of workers in Guatemala's maquilas are women, working mostly in the clothing industry. One serious problem faced by women, in addition to the appalling working conditions, is age discrimination. By the time they reach between 35 and 40 years of age, employers consider them too old to work, and they are driven out. They are thought to be less productive. Hence, there are many women aged between 35 and 60 who still want to work but have no income. Forty-five-year-old Silvia Marina Gevalo Santos is one of those women. Dismissed, along with some of her colleagues, because she tried to organise workers in a maquila, she

has never been able to find another job and today works as a volunteer for the CGTG. "Trade union rights are non-existent," she explains. "Whenever workers try to organise, they are immediately dismissed. When we lose our jobs, we are supposed to get compensation. We are still waiting. The maquila closed down and we lost everything. We complained to the Labour Ministry, but to no avail." The employers, most of whom are Korean, do not pay any tax for the first ten years they are in operation. After that, they close down and set up business somewhere else under another name. In 2007, 37 maquilas closed down in Guatemala, leaving 17,000 people out of work.

From Monday to Saturday, the working day usually starts at 7:00 a.m. and ends at 6:30 p.m. But if there is a rush on, the working day may not end until 10:00 p.m., and the working week may be extended to include Sundays as well. "The employers lock the doors and don't let us out. We are

like prisoners, locked up against our will," Silvia Marina continues.

Pay discrimination

There is clear discrimination between men's and women's pay. For the same work, women are paid 50 Quetzals (4.5 euros) above the minimum wage of 1475 Quetzals (about 131 euros) while men are paid 150 Quetzals (12.5 euros) above the minimum wage. Much needs to be done as far as workers' health and safety is concerned too. It is not unusual for maras (gangs of juvenile delinquents) hanging around the maquilas to extort money from the workers. It is difficult enough for them to earn a little money, and yet they have no security.

Inside the factories, the employers do not allow workers to go to the toilet when they want. They can only go once in the morning and once in the afternoon, which can cause



→M. D.

Under the pressure of production quotas.
→M. D.



serious health problems for women during menstruation or pregnancy. There are no canteens for the workers, who often eat outside, even when it rains. When they have the right to drink water, it comes from the tap and is not always pure.

But above all, the pressure of work is enormous. Every morning, the workers are told how many items they have to produce for a set wage. Every day the number of items increases for as long as the workers force themselves to meet their quota, causing themselves harm and of course never reaching their target or, consequently, the amount of money

promised. It is the principle of the donkey and the carrot.

Pregnant workers forced out

“When an employer finds out that a woman is pregnant, they put pressure on her to resign,” continues Silvia Marina. “She is not officially sacked, but she is pressed into leaving. There are always plenty more to take her place. . . In principle, they have the right to two months maternity leave, but they have to go back to work after that. Given the working hours in the maquilas, it is difficult for them to look after their children.”

→ M.D.

A union in the maquila – it can be done



Read the full interview with Silvia Marina Gravalto Santos, at: <http://www.ituc-csi.org/spip.php?article1846>



→ M.D.

There are only three trade unions in Guatemalan maquilas. One is in the Sae company, created in 2007 thanks to the CGTG, with about 300 members. Every Friday the bosses meet the union leaders to discuss working conditions. Although the union has very limited power, and it only has members in one of the Sae's 20 factories, it is nonetheless a crucial first step in the fight for trade union rights.

“The first thing to do is make workers aware of the need to come together to organise and fight for better working conditions. Many of them realise that the union is good thing, but they are too frightened of losing their jobs,” notes Silvia Marina Gravalto Santos.

Workers' rights violations are on the increase, yet the WTO still supports export processing zones, notably in Guatemala

Last July the WTO General Council adopted a draft decision by the Subsidies and Countervailing Measures Committee (SCM) for the extension of the transition period before the dismantling of export subsidies in several developing countries. This decision will be welcome to the many governments that have a policy of exploiting workers and denying trade union rights in export processing zones (EPZs). WTO rules initially foresaw the dismantling of these subsidies by the end of 2007. However, following a request by a number of developing countries, the transition and phase out period may be extended until 2015.

One of the principal roles of these export subsidies is to encourage foreign investors to set up business in the EPZs where, as we have seen, working conditions are appalling and abuses rife. In many cases governments adapt the scope of their labour code or close their eyes to breaches of labour legislation, particularly as far as working hours and trade union rights are concerned.

The countries that benefit from this decision include Guatemala, Costa Rica, Dominican Republic and El Salvador, all known for their trade union rights violations. The EPZs and other special export zones in the countries that would find such an extension advantageous together account for more than one million workers and over 50 billion dollars in export income per year.

For the ITUC it is high time the respect of trade union rights was taken seriously in the EPZs. “These are workers' fundamental human rights,” states Guy Ryder, ITUC general secretary, “but in fact the violations do nothing to harm the competitive position of the companies concerned, as the joint study by the ILO and the WTO on trade and employment shows (1). Governments have a duty to promote and protect trade union rights in the EPZs in just the same way as they do in the rest of their country.”

(1) Joint ILO/WTO Study “Trade and Employment: Challenges for Policy Research” February 2007
ITUC commentary on the Study: http://www.ituc-csi.org/IMG/pdf/ILO-WTO_paper_summary_and_comments_-_final.pdf

The informal economy, a question of survival

As in the rest of Latin America, the number of workers turning to the informal sector as a means of survival is steadily increasing. The principal causes are the lack of decent jobs and discrimination. The workers, most of whom are women, have no social security and are often badly treated by the authorities.



→M. D.

In both Guatemala and many other developing countries, the majority of the workforce is in the informal sector. Mass dismissals, lower export prices for raw materials, debt, export barriers and low educational levels all have a damaging effect on employment. Many people take refuge in the informal economy as a means of survival.

According to the National Employment and Revenue (ENE) Survey (1), 75.4% of the working population of Guatemala is engaged in an informal activity. This figure rises to 89.8% in rural areas and to 95% for the indigenous population, whose workers face severe discrimination.

Women in the majority...and children

At least 65 per cent of workers in Guatemala's informal economy are women. The number of children who have to help their parents meet the family's needs is alarmingly high. In the best of cases, these children go to school half the day and work the other half. The majority have no schooling. 25% of informal economy workers are aged between 5 and 18.

The National Employment and Income Survey (Encuesta Nacional de Empleo e Ingresos ENEI) classifies the follow-

ing workers as informal: domestic workers, seasonal and non-seasonal agricultural workers, unpaid family members, employers of establishments with less than six workers, and independent workers. Many informal economy workers get their suppliers from wholesalers or retailers. They are therefore considered as traders. Very few produce their own goods. That is why the goods on offer from the street vendors are so varied.

"To begin with, there is a problem of concept," explains Luis Felipe Monzón, of the National Federation of Independent Workers (Federación Nacional de los Trabajadores Independientes, FENATRI). "According to the International Labour Organisation, the informal economy is represented by unincorporated enterprises engaged in the production of goods and services, run by self-employed workers who may occasionally hire other workers, who are not legally registered and do not have any social security. For us it is simpler than that. It is an activity born of the need of Guatemalans who are in difficulty, who are marginalised, to survive in hostile conditions and in a system that fails to protect the majority."

FENATRI believes the high percentage of workers in the

informal economy in Guatemala is due to a series of structural factors such as high unemployment, migration from the countryside to the cities, relocations and the lack of a government socio-economic policy designed to promote the creation of new and decent jobs with fair wages.

New precarious employment contracts

“Added to this” continues Monzón, “are the new employment contracts that are far from protective of workers, as well as widespread illiteracy and the natural disasters that have left many in the rural population destitute.” In a recent public statement, FENATRI explained that the rise of the

informal economy was no surprise, following the structural adjustment policies designed to meet the demands of the international financial institutions. The national trade union federation also denounces the hypocrisy of the State. On the one hand, through the Ministry of Labour and the National Institute of Statistics, the State notes the importance of informal sector workers for the country’s economic activity. On the other, these same workers are pursued, threatened, displaced and sometimes physically attacked by the security forces and the national civilian police force.

(1) ENEI, quoted in the Social Alert report – “Guatemala, 10 years after the Peace Accords”, 2004.

International trade union strategy against racism and xenophobia

More than half the population of Guatemala is of Mayan descent, and there are many Garifunas and Xincas. The indigenous population is easily identifiable by its distinctive physical features, as well as language, customs and clothing. It is the victim of latent structural racism and multiple forms of ethnic and cultural discrimination. From the outset, the educational system favours the well off and takes no account of the Mayan culture. About 95% of the indigenous population faces severe employment discrimination, with most formal jobs closed to them. Traditionally, the indigenous population has lived off the land. But for generations, the land-owning classes have had almost all the fertile land, and production has been almost exclusively for export. This highly inequitable distribution of land penalises the indigenous peasant farmers, who have fewer and fewer means of subsistence and who, faced with a problem of food security, have no other choice than to hire out their labour to the owners of the big “fincas” (ranches) for poverty wages.

Pilot projects

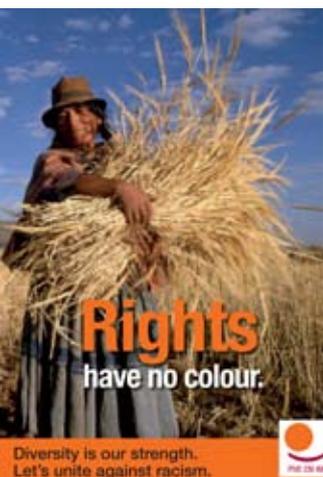
Further to the decisions taken by its founding Congress in 2006, the ITUC is determined to develop a trade union strategy to combat racism and xenophobia.

Several national level pilot projects are to be developed by ITUC affiliated organisations in Brazil (CUT), Indonesia (SBSI), Nepal (NTUC), D R Congo (UNTC), South Africa (CONSAW), Albania (BSPSH), Romania (Cartel Alfa), and Guatemala (CGTG), beginning in 2008. In Guatemala the project is aimed at supporting the trade unions’ wish to integrate the indigenous population and other ethnic minorities. One pillar of the project will be an information and awareness raising

campaign. Another will be two training sessions on cultural diversity, access to land and the fight against poverty, and the trade union strategy to promote the rights of indigenous workers and other ethnic minorities.



→Boris Naudin



Rights
have no colour.

Diversity is our strength.
Let's unite against racism.



Informal economy: Health insurance schemes run by the unions

The lack of social security cover is one of the serious problems faced by informal economy workers. Trade unions are trying to provide a solution.

FESTRI, the Independent Workers' Trade Union linked to the CGTG, organises self-employed workers, mainly vendors operating in public places such as streets, parks or any similar areas conducive to their work. The union has about 20,000 members and is divided into 35 organisations around the country, although the majority are in the capital.

The rural migration of unskilled labour

The majority of informal economy workers, says FESTRI, are unskilled workers who have migrated from the rural areas. Jorge Grajeda Aquino, FESTRI's general secretary, himself a street vendor, believes that "if you were to count all the workers who do not have social security coverage, it would add up to about 85 per cent. When these workers get ill, they have to go to national health care centres to be treated, but the standard of care usually leaves a lot to be desired."

Health care and training

Through the union they can join a health care insurance scheme that gives them access to good quality medical care, medication, dental care and a whole range of products at accessible prices. In short, the union tries to provide social security for all its members. Another service provided by the union is training so that workers learn about their rights and duties. They also get help for legal matters, for example if they run into problems with the municipal authorities.

Awareness raising plays a very important role. "Our country has lived through 36 years of armed conflict," explains Jorge

Aquino. "At that time any trade union or civil society organisation that was formed was considered subversive. Little by little the working class developed an irrational fear of trade unions, which were looked on as illegal organisations. Yet the right to organise is enshrined in the Constitution, and in international conventions. The problem is getting the law respected." FESTRI has therefore organised awareness raising campaigns around the country which have had positive results.

Overcoming fear through awareness raising...

In the small town of Guatemala, for example, where there are 3000 self-employed workers, most had no idea what a trade union was. Now that they are organised, the local authorities have finally had to listen to them. They can negotiate, and above all they are no longer chased from their workplace, which is the greatest problem facing informal economy workers.

...despite violent repression

The organisation of informal workers is not always so successful, unfortunately. Often it is met with violent repression, particularly against FESTRI, and even murder. In 2004, Julio Rolando Roquec, then general secretary of FESTRI, was assassinated. The same fate awaited Walter Anibal Ixcaquic Mendoza and Norma Sente de Ixcaquic, members of the Vendors of Guatemala National Front, an organisation affiliated to FESTRI.

It's a system where the majority have no protection"

Jorge Aquino
(FESTRI)



→ M.D.

Combatting Child Labour

Nearly one child in four between the ages of five and 17 works in Guatemala. More than two thirds of them live in rural areas and take part in farm work.

Half the Guatemalan children who work also attend school part-time. The same proportion of children who work are not paid at all. The future of Guatemalan children, particularly girls, is often compromised as well by the frequent practice of early marriages.

Improve access to education

"Too many children work in our country. Urgent efforts must be made to improve access to education. Some start working at five years old, particularly in the informal economy and agriculture. Others work in quarries and break stones all day, which is very bad for their health. These young people are our country's future, so child labour is also a trade union priority," says Judith Montes (CUSG)

Source ILO-IPEC



→M.D.

Premeditated murder on the banana plantations

On 2 March 2008 Miguel Ángel Ramírez was assassinated, a few months after helping set up a trade union at the Frutera Internacional company that grows bananas for the Chiquita brand. Last September another trade unionist, Marco Tulio Ramírez Portela, had also been assassinated in a plantation belonging to a supplier of the Del Monte group.

Following the assassination of Miguel Ángel Ramírez, a member of the banana workers' union SITRABANSUR, which is affiliated to UNSITRAGUA, the ITUC reminded President Alvaro Colom of the commitment he had made to combating impunity at the international trade union conference in January (see page 3).

Four months after the workers had organised themselves and joined SITRABANSUR in July 2007, Frutera Internacional received a list of all the founder members of the union. It proceeded to use its private security service to harass and threaten the members of the union both at their workplace and in their homes. Some were illegally detained and forced into signing resignation letters. At the end of November they were locked out and sacked from their jobs. Miguel Ángel Ramírez was himself forced to sign a resignation letter. Four weeks earlier, the daughter of the General Secretary of SITRABANSUR had been raped by armed men and the wife of Víctor Manuel Gómez, another SITRABANSUR leader, had been harassed by armed men who told her that if they did not find her husband they would have no option but to kill his family.

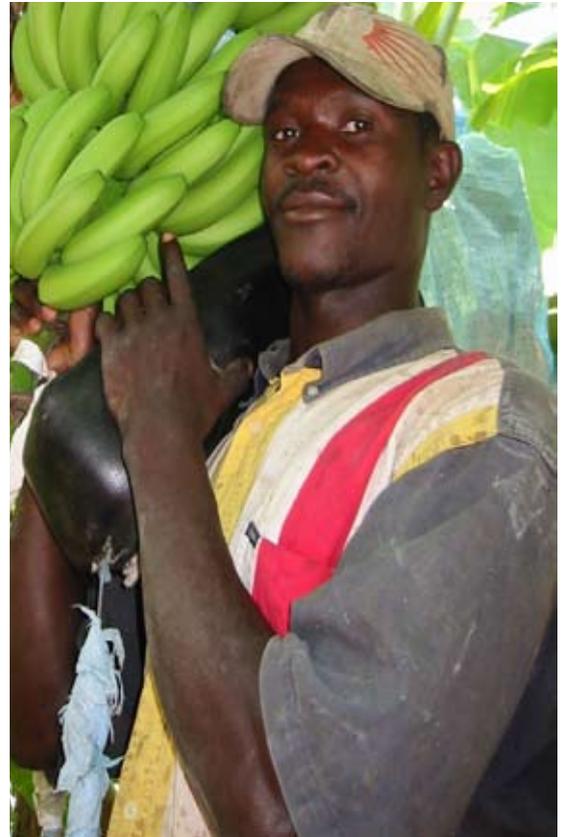
On 23 September 2007 at 5.45 a.m., masked men armed with heavy calibre guns violently attacked trade unionist Marco Tulio Ramírez Portela. He was murdered in cold blood, before his wife's eyes, as he left his small house on the Yuma plantation, owned by Bandequa, a supplier to the Del Monte multinational.

Marco Tulio Ramírez Portela, culture and sports secretary of the Izabal banana workers' union (SITRABI) in Guatemala, was the brother of Noé Antonio Ramírez Portela, the general secretary of the union, which organises Del Monte workers.

The circumstances surrounding his murder are particularly disturbing. Not long before, at the end of July, five soldiers from the Guatemalan army forced their way into SITRABI's union offices. The soldiers demanded to know the union's leaders names. With international support from the ITUC and the IUF (1), SITRABI complained to the authorities about the incident. A few weeks later, the union had a meeting with the Minister of Defence, who promised there would be an "internal inquiry"... Five days later, Marco Tulio Ramírez was the victim of a murder that showed all the signs of a premeditated attack.

It happened on closely guarded property, where anyone entering or leaving is carefully checked by private police. Any vehicle entering the plantation must have a pass. And the security staff carry out further checks upon exit. They also make regular rounds of the buildings. It is hard to believe that no one saw anything...

A few years ago, fruit multinationals such as Chiquita or Del Monte decided to sell off the plantations they owned. They turned instead to local suppliers, companies whose anti-union practices are well known. Guatemala's southern coast is becoming increasingly attractive to the banana companies, with a local labour force that is still largely un-



→ The Fair Trade Foundation

organised. There are attempts, under very difficult circumstances, to set up trade unions on the plantations, but they face merciless repression.

In 2001, Chiquita signed an IUF framework agreement with COLSIBA, the coordinating body of the banana unions of Central America, on freedom of association, minimum labour standards and employment in Latin American banana operations.

(1) International Union of Food workers, a world-wide federation of trade unions representing workers in agriculture and plantations, food and beverages and hotels: www.iuf.org. Further information is available from Euroban (European Banana Action Network), a group of European associations and trade unions committed to the economic sustainability of banana production and better living conditions for small producers and plantation workers, and from the website of the British organisation Banana Link: www.bananalink.org.uk

Assassinated trade unionist Marco Tulio Ramírez Portela.



A trade union campaign against “femicide”

Violence against women in Guatemala has reached crisis point, with over 500 murders in 2007. The trade unions, with the support of the Trade Union Institute for Central America and the Caribbean (1), launched a major campaign at the end of 2007 to promote women’s rights and combat the impunity of violence against women.



→ Belga



Over 500 women murdered in 2007. That’s more than one a day!



Irma Judith Montes (CUSG)



→ M.D.

“Violence in Guatemala affects men just as much as women. But figures show a sharp increase in the number of women victims. Last year more than 500 women were murdered in our country. That is more than one a day!” says Irma Judith Montes, the CUSG officer responsible for the Trade Union Campaign for Life for Women: Stop Femicide.

Marital violence

Guatemala has signed up to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women. In reality, however, women are still the victims of many forms of violence. “Guatemalan society sees attacks on women as something normal” deplores Giovanna Lemus of the Network Against Violence Against Women (Red de la No Violencia Contra la Mujer) (2).

As well as murder, marital violence is widespread. According to a survey published in the Guatemalan press, only 17% of women questioned said they had never been treated violently at home (3). While the authorities often claim that most of the murders of women are revenge killings, related to the victim’s involvement in drug trafficking or organised crime, Giovanna Lemus believes that marital violence is the principal cause of murders of Guatemalan women (2). In one third of cases, the murdered women were killed by a male relative.

Discrimination and rough treatment at the workplace

“Domestic violence is steadily increasing. Women are considered the weaker sex and pay the price of this false assumption,” says trade unionist Judith Montes, who also emphasises the importance of discrimination at work. “In the workplace, ill-treatment of women by their direct superior is common place and discrimination between their pay and men’s is a fact. It isn’t easy to change attitudes, even for women,” she continues. “Dialogue is essential. Awareness-raising is needed so that everyone understands that this discriminatory system must stop. We have decided to do something about it.”

Prosecuting and punishing those responsible for crimes against women

According to Amnesty International, as many as 70% of murders of women and girls in Guatemala are not investigated, and in 97% of cases no arrest is made (4). Since the launching of the trade union campaign against violence against women in October 2007, workshops have been organised throughout the country, and while it is too early to evaluate their impact, the initial results seem encouraging. The aims of the campaign’s organisers include getting the term “femicide” written into the legal code as a crime and ensuring that those responsible for crimes against women are prosecuted and brought to trial. They also want every effort to be made to eradicate all types of violence against women, in all areas of life, in the home and at the work place.

(1) Instituto Sindical para América Central y El Caribe - ISACC

(2) Quoted in El País, 18/09/06.

(3) Prensa Libre, 17/09/06.

(4) Amnesty International report on the murders of women in Guatemala, published in July 2006.

Maternity protection under threat in the public sector

While the right to maternity protection is largely ignored in the private sector, there is regrettably little to envy in the public sector. Maternity leave is enshrined in law, but trade unionists who fight for the respect of this fundamental right are the target of repeated attacks and threats.

“We are often likened to terrorists, to enemies of the State. There are campaigns to undermine us, to present us as enemies of development,” says Imelda López, general secretary of the aeronautical workers’ union, assistant general secretary of the public services federation and assistant general secretary of the CGTB. The target of several threats and an attack that almost cost her her life, she plays an active part in the fight for maternity protection in public services. She explains that being a trade union leader is by no means looked on favourably in Guatemalan public institutions and enterprises.

Illegal clause in employment contracts

Imelda believes trade unions are part of the reconstruction of the country. She is campaigning for pay equity between men and women, for decent work and for maternity rights to be recognised in her sector. It is not unusual for state institutions to hire women on contracts that contain a clause stating that they renounce their right to paid maternity leave. Such a clause is completely illegal, and the Guatemalan Constitution guarantees maternity leave. “Guatemala has ratified the ILO Convention on Maternity Protection,” explains Imelda López, “but there are a lot of abuses. Recently, three public sector workers became pregnant. When the State found out, their employment contracts were terminated. Our organisation immediately mobilised in their defence. That is when the persecution of women trade unionists began. I was targeted several times. Once my car was completely destroyed, and I nearly went with it. It is a miracle that I’m still alive.” Although no-one claimed responsibility for these attacks, she sees them as a response to the union’s action to defend the workers.

Average salaries in the public sector are about 150 dollars for the more fortunate workers. At the other end of the scale, a privileged class are paid very high salaries. “Corruption is rife. We haven’t stayed quiet about it, and they didn’t like that. The best trade unionist is the nonexistent trade unionist as far as they are concerned. They didn’t know what they were up against.”

Black lists, a strong deterrent

There are very few young people in the public service unions. Most think joining the union will stop them getting a job. And the fear of black lists is an extremely effective deterrent.

The principle is simple. As soon as it is known that a worker has joined a union, their name is written on the list, together with all their details (address, the names of their relations, their children...). The lists contain the names

of all the workers who are supposedly “not recommendable,” who have taken part in the formation of a union, who have exercised a trade union right or who have turned to an administrative or legal body to demand their application of their rights. The list is circulated among employers and some state institutions and can be used at any time against a worker in various ways, such as threats and intimidation.

Despite these difficulties, Imelda López is not giving up. “It is essential to carry out awareness-raising campaigns targeted at young people and women so that they know their rights. Capacity building is key to overcoming this situation, as is education.” Imelda believes applying the law is the best response to impunity. Sadly, personal interests and systematic corruption complicate matters. The International Trade Union Conference Against Impunity in January 2008 has, however, given her renewed hope. “International solidarity has given us the strength to carry on. Above all, it sends a strong signal to the Guatemalan state. It proves the international community is watching. That is an important contribution to the fight against impunity.”

→ M.D.



The fear of black lists is an extremely effective deterrent against organising.



Imelda López
(CGTG)



→ M.D.



"Free trade agreement with US has exacerbated inequalities"

Trade unions and social movements alike opposed the free trade agreement with the United States. "When it came into effect in July 2006, it just exacerbated social inequalities in the country" states J.E. Pinzón Salazar (1).



→ M.D.

This agreement is good for the government and big business, but it is very bad for small businesses and for agricultural workers. It has led to company mergers and an influx of foreign goods, for example, in the agricultural sector. These goods come mainly from the United States. The small farmers of Central America do not benefit from the same subsidies as the Europeans or the Americans. American farmers can lower their prices because of the subsidies, and it is impossible for us to compete on such terms. One quintal of maize might cost 100 dollars if sold by a Guatemalan producer, but the Americans are selling it at 50 dollars.

Inhuman working conditions

Rural workers in Guatemala have a difficult life. Many don't own any land and have to work for the big landowners, as there has never been any land reform allowing for a fairer distribution of property. Their working conditions are inhuman, partly because the labour code is not applied in

this sector in practice. Their wages don't allow for a decent standard of living: a rural worker can earn seven dollars a day, but they need a minimum of 200 dollars a month just to cover the basic cost of food for one person, not to mention what they need for healthcare, education, housing etc."



→ Jacky Delorme.

Read the full interview with J.E. Pinzón Salazar, General Secretary of the CGTG: "Fear drives me to protest against injustice", on the ITUC website at: <http://www.ituc-csi.org/spip.php?article1341&lang=en>

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