Dear President Jimmy Morales,

The International Centre for Trade Union Rights is gravely concerned about the repeated incidents of violence against trade unionists in Guatemala.

On 19 June 2016, Brenda Marleni Estrada Tambito was shot dead in Guatemala City. Marleni was a member and deputy coordinator of the Legal Advisory Committee of the Trade Union of Workers of Guatemala (UNSITRAGUA/HISTORICA), as well as a member of the Legal Team of the Trade Union Confederation of the Americas (CSA). Her father, Jorge Estrada - a lawyer and long time member of UNSITRAGUA - is currently involved in investigating and assessing labour rights in several banana plantations across Izabal. Several banana union leaders in Izabal have been murdered in Guatemala in recent years, and in 2014, 11 leaders from the UNSITRAGUA-affiliated banana workers’ union were fired on while at the plantation.

There have been reportedly over 70 murders of trade unionists in Guatemala over the last eight years - by some estimates, this figure is as high as 96. According to Red de Defensores de Derechos Laborales (Labour Rights Defenders Network), attacks and intimidation of trade union members remain widespread in 2016. Mynor Rolando Ramos Castillo, a trade union activist and member of the Sindicato de Trabajadores de la Municipalidad de Jalapa (SITRAMJ), was assassinated at the end of September 2015. It is deeply concerning that the government of Guatemala does not appear to have taken adequate steps to bring the perpetrators of these murders to justice.

The murder of a trade unionist constitutes the most egregious violation of trade union and human rights. The on-going climate of violence, intimidation and harassment of trade unionists in Guatemala represents a serious violation of Guatemala’s obligations under the eight fundamental conventions of the International Labour Organisation, all of which Guatemala has ratified. The right to life is a fundamental prerequisite for the exercise of the rights contained in these ILO conventions. According to the ILO’s Committee on Freedom of Association the rights of workers can only be “exercised in a climate that is free from violence… and it is for governments to ensure that this principle is respected.” The killing of
trade unionists requires the "institution of independent judicial inquiries in order to shed full light, at the earliest date, on the facts and the circumstances in which such actions occurred and in this way, to the extent possible, determine where responsibilities lie, punish the guilty parties and prevent the repetition of similar events." Failure to hold guilty parties to account creates a culture of impunity, "which reinforces the climate of violence and insecurity, and which is extremely damaging to the exercise of trade union rights" (Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO, Fifth Edition, 2006, paras. 42-45, 46, 48 and 52).

ICTUR calls on the government to investigate the circumstances around these shootings and to undertake all necessary measures to ensure the fundamental freedoms of workers to join and form unions and to take action in defence of their interests.

Yours sincerely,

Daniel Blackburn
Director

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Centro Internacional para los Derechos Sindicales
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