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Union Rights Centre, Indonesia*

Ozlem Yildirim

*Policy Officer, International
Department,
CGT France*

Director

Daniel Blackburn, MA, barrister

Researcher

Ciaran Cross, LL.M.



International Centre for Trade Union Rights

*Centro Internacional para los Derechos Sindicales
Centre International pour les Droits Syndicaux*

E-mail: ictur@ictur.org

Web: www.ictur.org

Address: Can Mezzanine,
7 - 14 Great Dover Street,
London, SE1 4YR, UK

ICTUR was founded to
defend and extend trade union rights and
to raise awareness of these rights and their violations
around the world

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By e-mail:

jimmy.morales@fcnnacion.com,
informacion@secretariaprivada.gob.gt,
llopez@vicepresidencia.gob.gt

Attn:

Jimmy Morales
Presidente de la República de Guatemala
Casa Presidencial,
Avenida Centro America 13-42, Zona 1
Ciudad de Guatemala
República de Guatemala

CC:

Clément Nyaletsossi Voule, United Nations Special Rapporteur on the
rights to freedom of peaceful assembly and of association

Dear President Jimmy Morales,

The International Centre for Trade Union Rights is gravely concerned
about the repeated incidents of violence against trade unionists, impunity in
anti-union cases, continued failure to address anti-union motives in those
cases that have been prosecuted, and other anti-union actions in Guatemala

Our most recent concern relates specifically to the case of two trade union
leaders in Guatemala - Luis Alpirez Guzmán, general secretary of the
National Union of Health Workers of Guatemala (SNTSG), and Dora
Regina Ruano, former SNTSG deputy general secretary – who were
arrested and charged on grounds of alleged fraud.

ICTUR understands that the two were imprisoned from 17–28 January
further to their role in negotiating and signing a collective agreement
between the SNTSG union and the Ministry of Health authorities in 2013.
Following a hearing, we understand that both union leaders were released
on parole but were then placed under house arrest, pending a final decision.

**ICTUR wishes to remind the government that the principles of
freedom of association are enshrined in the International Labour
Organisation Conventions 87 and 98, which Guatemala has ratified.**

ICTUR appreciates that trade unionists, like all members of society, are obliged to comply with the law, and that trade unionists do not enjoy immunity from prosecution. However, we recall that the ILO's Committee on Freedom of Association has made clear that the arrest and detention of trade unionists 'for reasons connected with their activities in defence of the interests of workers constitutes a serious interference with civil liberties in general and with trade union rights in particular'; this is the case, 'even where they are merely summoned or questioned for a short period' (Freedom of Association: Compilation of decisions of the Committee on Freedom of Association, ILO. 6th Edition, 2018. paras. 120-6, 970-4). In all such cases, it is 'incumbent upon the government' to show that such measures are 'in no way occasioned by the trade union activities of the individual concerned' (Freedom of Association, para. 158).

ICTUR urges the government to comply with the recommendations of the ILO Committee and to desist from further interference with or intimidation of trade unionists, and to take all measures necessary to ensure that it fulfils its commitments under international law to protect and promote fundamental rights of workers to take collective action in defence of their interests. ICTUR will report these incidents in the journal *International Union Rights*, which was established in 1993, and which enjoys a readership in more than 100 countries.

Yours Faithfully,

A handwritten signature in dark ink, appearing to read 'D. Blackburn', followed by a long horizontal line extending to the right.

Daniel Blackburn, Director