

PUBLIC

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21 April 2009

UA 105/09 Fear for safety/Death threats
GUATEMALA Edgar Neftaly Aldana Valencia (m), 43 years old
His family

Trade unionist Edgar Neftaly Aldana Valencia was threatened with death and his house shot at on 1 April. He is the Secretary General of the San Benito branch of the National Health Professionals' Union (Sindicato Nacional de Trabajadores de la Salud) in the northern department of Petén. The intimidation is linked to his work against corruption and discrimination at his workplace, the regional hospital of San Benito. His life and the safety of his family is at risk.

On the way home from his job at the San Benito hospital on 1 April, Edgar Aldana noticed that two unidentified men riding a red motorcycle were following him. He changed routes to lose the men. While he was still travelling home, unknown men fired nine shots at his house. His wife and his daughter were inside the house at the time.

A few hours later Edgar Aldana received a call on his mobile from an unidentified man who told him that "This is because you and your wife got into trouble, because you're trade unionists at the hospital. I was paid 100.000 quetzales (approximately USD 12,300) to physically eliminate you, but we can reach an agreement." (Esto es por haberte metido en problemas tú y tu esposa, por ser sindicalistas en el hospital. Me pagaron 100.000 quetzales por eliminarte físicamente, pero podemos llegar a un acuerdo.)

After the phone call, he received four text (SMS) messages from an unknown sender. One of them included the phrase "I have watchmen around your house, don't get me wrong" (tengo vigilantes en cada lugar cercano [sic] a su casa no se equivoque conmigo.) Another one said "this is just a warning, the next time the bullets will be for your wife and we are not playing and don't you dare call the police [...] if you want to continue living" (esto solo es una advertencia la otra vez las balas van a ser para su mujer y no estamos jugando y mas le bale (sic) que no llame policias [...] si quiere seguir viviendo.) Despite the threat, Edgar Aldana filed a complaint with the authorities on 2 April.

The authorities have not provided the family with any form of protection and no arrests have been made in connection with these incidents.

BACKGROUND INFORMATION

The San Benito branch of the National Health Professionals' Union was established in 2008. Since 2005 trade unionists have reported poor healthcare services and alleged corruption and discriminatory practices. In 2007 and following a complaint filed by the union, the Human Rights Ombudsman's Office confirmed the allegations against the former director, who was dismissed in 2008.

Dozens of human rights defenders, social activists and trade unionists, among other groups, are threatened and harassed in Guatemala every year. Some of them are killed for carrying out their legitimate work.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern for the safety of Edgar Aldana and his family, after the attack and death threats received on 1 April;
- urging the authorities to take immediate steps to provide effective protection for them, in strict accordance with their wishes;
- calling on the authorities to order a swift, full and impartial investigation into the incidents, to make the results public and to bring those responsible to justice;
- reminding the authorities of the right of human rights defenders to carry out their activities without any restrictions or fear of reprisals, as set out in the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

APPEALS TO:

Minister of the Interior

Sr. Salvador Gándara

Ministro de Gobernación

6ª Avenida 13-71, Zona 1,

Ciudad de Guatemala, GUATEMALA

Fax: +502 2413 8658

Salutation: Dear Minister/Estimado Sr. Ministro

Attorney General and Head of the Public Prosecutor's Office

Lic. José Amílcar Velásquez Zárate

Fiscal General de la República y Jefe del Ministerio Público

8ª Avenida 10-67, Zona 1, Antiguo Edificio del Banco de los Trabajadores,

Ciudad de Guatemala, GUATEMALA

Fax: +502 2411 9124

+502 2411 9326

Salutation: Dear Attorney General/Estimado Sr. Fiscal General

Governor of the Department of Petén

Sr. Rudel Mauricio Álvarez

Gobernador de Petén

Gobernación Departamental

Flores, Petén, GUATEMALA

Fax: +502 7867 5301 (say "tono de fax, por favor")

Salutation: Dear Govenor/Estimado Sr. Gobernador

COPIES TO:

National Health Professionals' Union

Sindicato Nacional de Trabajadores de Salud, SMTSG

9ª Avenida 13-24, Edificio Ruth, Oficina 309, Zona 1

Ciudad de Guatemala, GUATEMALA

Fax: +502 2232 9289 (say "tono de fax, por favor")

and to diplomatic representatives of Guatemala accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 2 June.