

PUBLIC

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13 March 2008

UA 72/08 Fear for safety

GUATEMALA **Víctor Manuel Gómez Mendoza (m)**
Alberto López Pérez (m)
Germán Aguilar Brego (m)
Other members of the Executive Committee of SITRABANSUR (*Sindicato de Trabajadores Bananeros del Sur*, Union of Banana Workers of the South)

Killed: **Miguel Ángel Ramírez Enríquez (m), one of the founders of SITRABANSUR**

A member of a trade union has been killed in the village of El Semillero in the department of Escuintla, some 150 kilometres from Guatemala City. Several of his colleagues are believed to have been followed by unidentified men, and in one case escaped a possible attack. Amnesty International believes their lives are in serious and imminent danger.

According to reports, on 2 March two armed men, with their faces covered by ski masks, lay in wait near the home of Miguel Ángel Ramírez Enríquez, one of the founders of SITRABANSUR (*Sindicato de Trabajadores Bananeros del Sur*, Union of Banana Workers of the South). As Miguel Ramirez was returning home, he was shot at by the men. Miguel Ramirez ran into his house, and tried to escape by the back door. One of the armed men followed him, while the other caught up with him outside his house, and forced him to the ground. Miguel Ramirez tried to run away, but was shot in the back. He was then shot several more times as he lay wounded. Miguel Ramirez died some two hours later in hospital. Initial reports indicate that his body had four bullet wounds and at least one knife wound.

Relatives of Miguel Ramirez state that some 15 days before his killing, he had said that he had been offered money from the farm's managers to resign from SITRABANSUR. He also claimed that he had received death threats via telephone.

Other members of SITRABANSUR's Executive Committee have been intimidated. On 29 February, Victor Manuel Gómez Mendoza reported that unidentified men had asked his neighbour about his whereabouts. On 3 March Alberto López Pérez claimed unidentified men had been watching his home. During the night of 8 March, intruders entered his home but Alberto López Perez and his family were able to escape.

The SITRABANSUR trade union was formed by banana workers in July 2007 in order to negotiate collective terms and conditions. They allege that the owners of the farm on which they work do not pay the minimum wage and do not pay social security and other contributions.

On 20 November 2007, all of the founding members of the union, including its leaders, and their families were dismissed from their jobs and evicted from their homes, apparently as a result of their trade union activities. Germán Aguilar Brego, Alberto López Pérez and Víctor Manuel Gómez allege that the previous day they had received a death threat from a member of management of the banana farm: "if you don't stop the conflict you could turn up floating in the river. Let's hope I don't find you on your own on the street, because if I do, who knows what might happen to you" (*Si no desisten del conflicto pueden aparecer flotando en el río. Que no los encuentre solos en la calle porque si no, quien sabe lo que les pasaría*).

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

- expressing concern for the safety of Víctor Manuel Gómez Mendoza, Alberto López Pérez, Germán Aguilar Brego and other members of the Executive Committee of SITRABANSUR;
- urging the authorities to take immediate and effective measures to guarantee the safety of all SITRABANSUR leaders, in accordance with their own wishes;
- urging the authorities to immediately order a swift, impartial and full investigation into the death of Miguel Ángel Ramírez Enríquez, and to bring those responsible to justice;
- calling for a swift, impartial and full investigation into reports of a break-in at the home of Alberto López Pérez, and the intimidation of other union members; and demanding that the authorities bring those responsible to justice;
- reminding the authorities that human rights defenders, including trade union leaders, have the right 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. Carlos Vinicio Gómez Ruiz

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. Juan Luis Florido

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

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Salutation: Dear Attorney General/Estimado Sr. Fiscal General

COPIES TO:

Sindicato de Trabajadores Bananeros del Sur (SITRABANSUR)

c/o Unión Sindical de Trabajadores de Guatemala (UNSITRAGUA)

9ª Avenida 1-43, Zona 1,

Ciudad de Guatemala, GUATEMALA

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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 24 April 2008.