

Guatemala, 11 May 2013

The genocide case:

An open door for many to go through.

The trial on genocide and crimes against humanity concluded as expected. The first defendant was sentenced to 80 years' imprisonment, while the second, the Head of Military Intelligence, was exonerated. There is no point in going over the details. The result is that throughout the country (and beyond our borders), it is more than well-known that genocide took place in Guatemala. There can be no doubt about that. It is therefore right that those responsible pay for their crimes. But who are they?

One of the perpetrators is clearly General Ríos Montt, but the people who financed the campaign so generously remain to be identified, i.e. those who paid for the war and met the cost of each crime out of their own pockets, obtaining substantial profits for doing so. They must all obviously pay for their share of the blame.

This includes the international military advisers who were present, because they came here to establish whether their tactics for confronting the guerrillas were better or worse. The national and foreign providers of funds who used the lives of some of our people to demonstrate that force would prevail over their silenced cries were also responsible, as were the troops who brutally breathed life into their own lungs in order to take it away from thousands of humble settlers who can no longer breathe it in to theirs.

It is quite right that justice has been done, but others have yet to be brought to book: those who funded the crimes, i.e. the rich who hold power here, and the US government, which is directly responsible for so much barbarity, those who conceived and directed the torture, such as the G-2, and those who exploited and stole land from displaced people and now farm that land. Other foreign soldiers from other regions who came here to make the people suffer are absent too – Argentinians, Israelis, Americans, etc. Others who should also be made to feel the full weight of justice have not been tried either. Until they are made to pay for their deeds, there can be no peace in Guatemala. What happened in court is just the first step. Perhaps what took place marks the beginning of the end of impunity, though that remains to be seen.

Many people can go through that door, which stayed open and will have to be kept open. They will not only be soldiers, they did not all wear the official uniform during the war. It is of course claimed that the guerrillas were also responsible for atrocities for which they must be punished, and they undoubtedly did commit violent offences that they too will have to pay for.

But let there be no mistake: 98% of the war crimes were committed by the Army, compared to 2% by the guerrillas. This is set out in the reports that were produced with all the information available after the peace treaty was signed: the REMHI [*Recuperación de la Memoria Histórica* – Recovery of Historical Memory] and the *Comisión de Esclarecimiento Histórico* [Commission for

Historical Clarification]. They must be believed. We cannot and must not forget what the figures tell us. Monseñor Gerardi was a clear example to be followed in this respect. He sacrificed his life when he denounced the error that had been made for so long. He paid a very high price for saying that it was not true that we were caught between two demons. There was in fact only one.

It will not be easy to bring an end to impunity in Guatemala because we bear witness every day to repeated crimes against those who defend the people. Forced disappearances concealed under the yoke of organised crime. Despicable killings committed as if we were living in the last century, but in the 21st-century. States of siege declared and then lifted, in time with the outcry from the CACIF [Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations, a business federation], filling the people with terror. The list of acts of blood and pain perpetrated against us by the right-wing State goes on, but this will suffice.

Not a day passes when someone is not forced to give their life for “unknown reasons”. The expression is in inverted commas because it is difficult to believe after so many cases that they were apparently all killed for “unknown reasons”. We may have to wait for 30 years or so for those responsible to be legally identified, when in fact we all know very well who they are. This is exactly what happened with Ríos Montt. Let us hope that it does not happen, but if the past is any indication, then God help us. The events could be repeated.

Guatemala, 1 May 2013

INTERNATIONAL LABOUR DAY

Today, 1 May 2013, is International Labour Day, so all over the country thousands of male and female workers will march to recognise this event. But three things should be noted: 1), what the CACIF [Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations, a business federation] has done to undermine this date; 2), the situation in which we workers find ourselves; and 3), what must be done.

Firstly, the groups in power and their media have taken to calling it “International Labour Day”, which they do in order to play down the impact and significance of the role of male and female workers and their struggles in relation to this date, but they will fail. They want us to play football matches and take a holiday, but they will not succeed. They seek to ensure that workers lose a date that represents them, thus increasingly isolating them. But it is not a day for labour: it is a day for all male and female workers. As the slogan states, this day is not a holiday, it is a day of struggle and protest. This brings us to the second point: there is little or nothing to celebrate, but there is a great deal to fight for.

Today more than ever, our battles are valid and legitimate, as are those of the trade unions, which fight for workers’ rights without selling out or cosying up to whoever happens to be in power, or by the same old oligarchs. Today, when it seems that over a century has not passed in which we fought for the eight-hour day, for decent conditions and a fair wage, we are fighting precisely for

virtually the same things. The increasing instability of working conditions means that in practice the working day is extended because of the demands of production quotas or sales figures, expressed in schemes of payment by productivity rather than by time which bind thousands of workers on farms, in factories, in call centres and in financial institutions and banks. If workers are to manage on a wage which barely covers basic subsistence, they have to extend their working day to 10, 12 and 14 hours or more. In practice, no minimum wage applies.

There are two other lamentable situations: anti-union persecution and the criminalisation of social struggles. Whenever workers fight for their rights or join the struggle for the rights of other sectors, as we do in the FNL [*Frente Nacional de Lucha*], they are subjected to aggression, persecution, kidnapping and killing and are defamed by the oligarchy's media machine. Several leaders have been kidnapped, killed, persecuted or jailed in the country. These include our comrade Carlos Hernández, who championed trade union causes and fought to defend the motherland against the transnationals. The kidnapping and killing of leaders of the Xinca people and the kidnapping and killing of Daniel Pedro and others are symptomatic of the response meted out to people who assert their rights and dare to defend national assets against the plundering and greed of transnational companies.

Citizens' rights and lives are not secure, but there are security forces at the service of the transnationals.

Unfair dismissal from public institutions so that civil servants and members of Parliament can pay off political debts is another practice that we have consistently opposed and fought against.

The State as an employer and service provider is in debt to workers and to the people in general. There is no significant investment in health, education, housing or employment. Instead, unionised workers are persecuted while the red carpet is laid out for private initiative that takes advantage of underhand and sometimes open processes of public service privatisation. Outsourcing has also been highly detrimental to workers' rights and has contributed to the erosion of employment rights.

In addition, all workers and the people as a whole now face serious threats. A trial is currently in progress which seeks justice for the victims of massacres and genocide during the armed conflict. This case has been discredited and manipulated, and the independence of the judiciary has been compromised by sharp practice by judges who have been bought.

The Guatemalan Parliament is currently debating a package of laws proposed for approval which undermine the interests and rights of the Guatemalan people, the so-called investment and employment laws. These are not laws that we have asked to be approved, and they do not arise out of or comply with our needs as a people. They are in fact laws that have been asked for by the gentlemen of the CACIF for their benefit. We therefore sound a note of caution against the serious risk of approving a range of laws which damage the rights of workers and of the people as a whole and which grant benefits, assets, structures and an alarming amount of tax relief to the private

sector. By contrast, there is no willingness to pass other laws that may actually help to address the causes of poverty. One of these is the integrated rural development law.

Another measure would be to nationalise the generation and distribution of electricity to counter the abuses of the transnationals, and to review permits for the mining companies, which not only exploit and take away our resources but also act with total impunity by sending their guards to suppress and kill our community leaders.

As can be seen, the situation is serious and on this first of May we therefore issue a rallying call in defence of our rights, freedom of association, high quality public services, natural resources and our right to life and security.

Guatemala, 23 April 2013

Negotiations? Right, let's get down to it.

Action taken in the general interest, when adopted seriously, must be listened to by the authorities. There is no doubt that when a national strike is called for the nationalisation of energy, it is one of the issues which is taken most seriously by communities throughout the length and breadth of the country. This was the case with our most recent call, issued on Thursday 4 April last. The country was brought to a standstill from coast to coast and border to border. People came out into the streets at 22 locations to say a firm “no to nationalisation”.

In response, the government had no hesitation in calling out their own people to ease the pressure they were under. And naturally they called for dialogue with leaders of the *Frente Nacional de Lucha* [FNL]. We therefore came to a negotiating table, together with the Minister for Labour, officials from the Ministry of Energy and Mining and others, and a process began in which, it is fair to say, positions were entrenched.

Once again it was a negotiating table at which the subject of energy was to be discussed, and the FNL at least brought into play its accumulated experience of several previous negotiating processes on this issue. First it was Oscar Berger who created a so-called space of dialogue, in which what was said simply echoed the approach of Unión Fenosa, which was present. We left that table. Then came Álvaro Colom, who followed up the subject but established another table at which the government authorities all sang from the same song sheet, reminding us what its predecessor had created. And then it was the turn of Otto Pérez Molina, who also set up a table for dialogue at which ENERGUATE officials have yet to appear.

We therefore now know what governments understand by “tables for dialogue”. This new table will have no surprises. We will go along because to date there has not even been one, unless the opposing party turned up. We will go because so far we have been able to discuss the matter calmly. We will go because so far the government has wanted to listen to us.

Guatemala, 23 March 2013

So what about the Education Reform?

A decade ago the country was relatively satisfied, apart from the violence, which was rising, and despite growing injustice. They were good days for the peace agreements, and rightly so. They had been signed five years previously and had a crucial place in national affairs. No right-minded person dared to call them into question, including their eternal and most bitter opponents, who preferred to keep quiet, at least in public. Behind the scenes, however, the forces of the right met in secret to plan their downfall.

Against a backdrop of consecutive right-wing governments, everything was in their favour. They assumed that people would forget about the agreements and that they would therefore be consigned to oblivion.

This was the case in education, a field in which they successfully managed to ensure that ordinary people throughout the length and breadth of the country forgot about the mandate for Education Reform which the State had signed up to. There was a duly signed convention to professionalise teacher training so that our young people would receive a sufficiently decent education. The Portillo administration began this task, but after creating a body of Portillo-supporting teachers to carry it out, it was quickly jettisoned. This was how right-wing political manoeuvring put paid to the content of the convention, and with it the possibility of better qualifications for our youngsters.

Then it was the turn of human rights, which was also an issue that would have to be examined. All kinds of flak was hurled at the concept. "Human rights are only used to defend offenders", cried the sacrosanct media of public opinion. "When they put me in prison I turn to human rights" was another of the long list of comments. Human rights was therefore held responsible for the marked deterioration of justice, so eventually the subject lost its validity and value. People finally forgot about the issue and that was that, and an important aspect of the curricula slipped through the net.

The right had no interest in addressing these matters. This applied not only to the right with power, of which there are very few, but also, as tends to be the case, to the poor right as well. This sector has no power and did not realise that it was condemning itself in this way. The peace agreements were duly excluded from primary and secondary curricula. No further attention was paid to the *Acuerdo de Identidad y Derechos de los Pueblos Indígenas* [Agreement on the Identity and Rights of Indigenous Peoples], which arose out of the *Acuerdo sobre Aspectos Socioeconómicos y Situación Agraria* [Agreement on socio-economic Aspects and the Agrarian Situation], linked to providing the population with food. The subjects which the Guatemalan State had previously negotiated and signed up to were forgotten. These included the conventions on the implementation of an Education Reform, which would have represented a substantial change in the studies of all young people.

Despite a great national effort to formulate important substantive proposals, such as the creation of the *Comisión Consultiva para la Reforma Educativa* [Education Reform Advisory Committee], the

real Education Reform, arising out of the peace agreements, is now dead in the water and forgotten. It has been replaced by a wide-ranging counter-reform promoted by the right which has been called the "Education Reform" to justify its introduction or imposition. Unfortunately, the right's objective has been achieved: now no-one even mentions the Education Reform, unless it is to introduce subjects which, by distorting it, it is useful to approve.

Guatemala, 20 February 2013

Electricity: a conflict that must be resolved

Electricity has become one of the country's most acute problems. Not a day passes without some community somewhere complaining about an endless saga of problems, all linked to electricity.

This issue came to the forefront during the Álvaro Arzú administration, when the General Law on Electricity was passed (16 October 1996). This legal monstrosity allows the authorities, among other things, to grant concessions to private companies to distribute and generate energy, marking the beginning of a dangerous process whereby large vampire-like transnational companies seek to suck the blood out of Guatemalan families for their own benefit. Objective conditions were therefore created for a major social conflict to develop which would be paid for, as ever, by the poor sectors of Guatemala as a whole.

Unión Fenosa was one such company. This organisation, dissociated from national capital and oblivious to national interests, set about the task of obtaining lucrative dividends by fair means or foul. We say "fair" because, under the protection of the law, they even used public security forces to get their bills paid. Opposition did not stop, even in the face of death. Víctor Gálvez, Evelina Ramírez, Pedro García, Octavio Roblero, Carlos Noel Maldonado, Leandro Maldonado, Ana María Lorenzo Escobar and Santiago Gamboa Paz are the distinguished names of Guatemalans who were committed to the nationalisation of electricity and who were killed in times of peace, and whose praiseworthy example should be a lesson to us all. They gave their blood and lives for all of us.

And we say "foul" because, aside from the pillaging represented by the purchase of energy distribution rights, we witnessed robbery on a daily basis in the form of fines, charges for services that were never provided, thousands of lawful claims that were never settled, changes in meter readings, municipal charges, payment of VAD (*Valor Agregado de Distribución* [added distribution value]), overcharging with impunity, reflected in high bills, the reduction in the social tariff, State charges for "not allowing it to earn what it wanted", etc.

So widely were these policies applied that the people finally resisted. Entire communities suddenly protested against them. San Marcos was at the forefront. Over 60,000 users resolutely went on a payment strike. Then it was the turn of Coatepeque, taking the number of users refusing to pay to 100,000. Then Retalhuleu and Suchitepéquez joined in, the figure thus reaching 250,000, and more recently Zacapa, Jutiapa, Jalapa, Cobán and Chiquimula followed, or in other words the whole country joined the strike.

Around two years ago, in 2010, Unión Fenosa was defeated. It decided to go on its own initiative but first it sold its holding to another foreign company without consulting the Guatemalan people at all. The option to sell was decided in international markets that were totally impervious to national circumstances.

Then came the British Actis. The process went on as if problems in this area had never arisen. The new company continued the unlawful practices that its predecessor had introduced, i.e. it continued to steal. The people, who can keep their cool, gave the company time to realise what it was doing. But now, two years later, they have said enough is enough. Their patience has run out.

The solution is to re-nationalise what is our own. Putting a “made in Guatemala” stamp on electricity means acknowledging, 15 years on, that energy is a national resource and that everyone involved in it is national. Energy is not a commodity, it is a public service.