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Guatemala: A dysfunctional labour justice system

Brussels, 18 August 2009 (ITUC Online): The ITUC joins the Confederación de Unidad Sindical de Guatemala (CUSG), the Central General de Trabajadores de Guatemala (CGTG) and UNSITRAGUA in expressing its profound concern at the very serious allegations of corruption and impunity within the Guatemalan labour law and justice system, affecting all workers in the union centres' affiliates, with particular regard to the system's independence and autonomy.

The ILO mission that visited Guatemala in February this year, signalled its concern regarding the general lack of independence of the judiciary and of government bodies when dealing with labour issues. The Movimiento sindical, indígena y campesino guatemalteco (MSICG) has for some time been complaining, both nationally and internationally, about the totally dysfunctional nature of the country's labour justice and legal system.

Complaints received by the ITUC mention lack of coherence between the rulings of labour judges and magistrates and the requirements of international laws and agreements, unjustified delays in industrial tribunal proceedings which can last up to 23 years, drafting and circulation of threatening lists with the names of workers who have demanded that their rights be upheld by a particular legal body or who have exercised their organising rights, and a general failure to act on labour cases compounded by passivity from the legal authorities.

The International Trade Union Confederation maintains that the State of Guatemala must take immediate concerted action to clean up the judicial and labour law system. "A country cannot function without a solid system of labour justice and general justice", stated Guy Ryder, General Secretary of the ITUC. "Respect of labour laws, and in particular of freedom of association, is absolutely vital".

In a letter http://www.ituc-csi.org/IMG/pdf/Corrupcion_del_sistema_de_justicia_laboral_agosto_2009.pdf to the Guatemalan authorities, the ITUC asked President Álvaro Colom to do all in his power to establish and implement new government policies to protect and uphold labour law. "These laws need to be rigorous so that a radical end is brought to the corruption", concluded Guy Ryder.

The ITUC represents 170 million workers in 157 countries and has 312 national affiliates.

Website: <http://www.ituc-csi.org> and <http://www.youtube.com/ITUCCSI>

For more information, please contact the ITUC Press Department on:
+32 2 224 0204 or +32 476 621 018.

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