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HTUR/JK

25 January 2008

Submission by the ITUC related to Guatemala for UPR sessions scheduled for May 2008

Dear Madam, Sir,

The International Trade Union Confederation (ITUC) has the pleasure to submit herewith its contributions to the Second Session of the Universal Periodic Review established under General Assembly Resolution 60/251 and Human Rights Council Resolution 5/1 of 18 June 2007, concerning the situation of human rights in the countries indicated above, particularly the internationally guaranteed rights of freedom of association, collective bargaining and protection of the right to organise.

The ITUC, which represents 168 million unionised workers through its 305 affiliated national trade union centers in 153 countries and territories, was established on 1st November 2006 in Vienna, Austria. It is the successor to the former International Confederation of Free Trade Unions (ICFTU) and the World Congress of Labour (WCL). The ITUC enjoys General Consultative Status with the United Nations' Economic and Social Council, as did its predecessor organisations, the ICFTU and WCL.

The reports contained in the present communication, concerning Guatemala is drawn from the ITUC Annual Survey of Violations of Trade Union Rights, successor publication to the ICFTU Survey of the same name, published each year without interruption since 1984. This Survey is today widely recognised as the world's most authoritative source of information on the subject. It draws on publicly available information, reports from intergovernmental organisations, including the ILO, trade union and human rights' organisations around the world and the ITUC's own global network of trade union researchers and human rights specialists.

The ITUC and before its existence, the ICFTU, has on numerous occasions supplied identical information to UN bodies and supervisory mechanisms competent in human rights issues, including the International Committee on Economic, Social and Cultural Rights, which has repeatedly expressed its appreciation of this material.

While each individual country section in our Survey varies in length – and may occasionally exceed the UPR’s suggested length for contributions from NGO’s, i.e. 5 pages – its structure is identical for each country. This is why we have chosen to submit the full version of this country report, as published. The first section concerns the situation of trade union rights in national legislation; the second section examines how they are respected and protected in practice; the third and last section reports on violations that have occurred during the calendar year preceding the year of publication. The present communications consists of the relevant country section on Guatemala from the 2007 issue of the Survey, published in September last year, and thus covers the legal and practical situation and violations that have occurred in 2006.

For the purpose of the present communication, our report is sent to you in the official language of the country concerned. However, the ITUC will be happy to send you, upon request, other language versions; all official ITUC publications, including the Survey, are available in English, French and Spanish; some of them are also available in German, Russian or other languages. The full Survey is available on the internet at www.ituc-csi.org

Wishing you all possible success in the work of the Working Group of the UPR, I remain,

With best regards,

Yours sincerely,

A handwritten signature in black ink that reads "Guy Ryder". The signature is written in a cursive style with a large 'G' and 'R'.

General Secretary