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Institution: Inter-American Commission on Human Rights  
File Number(s): Report No. 33/81; Case No. 7403  
Session: Fifty-Third Session (22 June – 2 July 1981)  
Title/Style of Cause: CNT members v. Guatemala  
Doc. Type: Resolution  
Decided by: Chairman: Tom J. Farer;  
First Vice Chairman: Marco Gerardo Monroy Cabra;  
Second Vice Chairman: Francisco Bertrand Galindo;  
Members: Carlos A. Dunshee de Abranches; César Sepúlveda  
Dated: 25 June 1981  
Citation: CNT members v. Guat., Case 7403, Inter-Am. C.H.R., Report No. 33/81,  
OEA/Ser.L/V/II.54, doc. 9 rev. 1 (1980-1981)

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## BACKGROUND:

1. In a communication of June 26, 1980, the following denunciation was made to the Inter-American Commission on Human Rights:

On June 21, 1980, the offices of the National Workers Union (CNT) in Guatemala were attacked by non-uniformed police. From 25 to 30 persons were detained. Although the streets around the CNT offices had been closed by the police authorities, the Government claims it does not know the whereabouts of the detained persons.

The emergency meeting of the CNT leadership had been called to take up the case of the teeth of two labor leaders killed the week before. On Friday, June 20, EDGAR RENE ALDANA, secretary of an organizing committee of the Coca Cola Bottling Plant workers, was shot and killed as he was leaving work. This union leader was the sixth Coca Cola worker murdered. On Saturday, June 21, the body of OSCAR AMILCAR PACHUCA was found, mutilated by torture. He had been abducted on June 17 along with GUILLERMO HERNANDEZ when they were working in the INCESA STANDART CO. GUILLERMO HERNANDEZ has still not been found.

The following persons are among those from the CNT headquarters who have been detained or have disappeared: FLORENTINO GOMEZ, Coca Cola union leader; FLORENCIA XOCOP, SARA CABRERA FLORES, of Agricasa; IRMA PEREZ, of Agricasa; GONZALO VASQUEZ, ORLANDO GARCIA, of the "TURSA" Transport Workers Union; BERNARDO MARROQUIN, union leader of the Kern's food processing plant; ISMAEL VASQUEZ, Coca Cola union member; SONIA FURIO, HILDA CARLOTA PEREZ, of Agricasa; OSCAR SALAZAR, MANUEL SANCHEZ and MARIO SALQUERRE, members of the Free Press union.

Also denounced is the murder of the Spanish priest, Father MARIA GRAN SIERRA, and his catechist by the Army on June 6 in Chajul, Quiche.

2. In a note of July 8, 1980, the Commission transmitted the pertinent portions of this denunciation to the Government of Guatemala, requesting that it supply information on the case.

3. In a note of August 25, 1980, the Commission supplied to the Guatemalan Government, as additional information from the claimants, the names of the following persons also alleged to have been abducted from the CNT union on June 21, 1980.

Sonia Sara Alecio  
Rafael Antonio Aguilar  
Irma Barrios  
Luis Rodolfo Bonilla  
Mario Camos Valladares  
Christina Yolanda Carrera  
Crescencio Coronel Ordoñez  
Bernabé de la Cruz  
Alvaro Estrada  
Selvin Arnoldo García  
Erwin René Hernández  
Mario Martínez  
Señor Reyes Aldama  
Jorge Luis Serrano

4. In a note of December 8, 1980, the Commission sent the Guatemalan Government additional information received from the claimants in this case, containing a more complete list of the names of persons abducted from the CNT union on June 21, 1980, as follows:

Rafael Antonio Aguilar Pérez	(Member of the Electronics Systems Union)
Sonia Alecio	(Member of the U.S. Vicks Vapo-Rub Company Union)
Sara Cabrera Flores	(Secretary General of the AGRICASA Union)
Mario Campos Valladares	--
Christina Yolanda Cabrera	(Member of the Electronics Systems Union)
Agustín Chitay Chapetón	(Member of the INDUPLASTIC Union)
Crescencio Coronel Ordoñez	(Member of the National Tilesetters Union)
Alvaro Oswaldon Estrada	(Member of the CERMACO Union)
Orlando Antonio García Rodríguez	(Member of the TURSA Union)
Selvin Arnulfo García López	(Member of the CERMACO Union)
Florentino Gómez López	(Secretary of the EGSA Press Union)
Erwin René Hernández Paiz	(Member of the CERMACO Union)
Bernardo Marroquín Salazar	(Secretary General of the KERN'S Union)
Mario Martínez	(Member of the U.S. Foremost Dairy Company Union)
Hilda Carlota Pérez Méndez	(Member of the AGRICASA Union)
Irma Candelaria Pérez Osorio	(Member of the INDUPLASTIC Union)
Manuel René Polanco Salguero	(Secretary General of STEPL and journalist of Prensa Libre)
Tomás Roberto Poll	--
Pedro Ramos Micatu	--
Manuel Antonio Rodríguez Ramos	(Member of the KERN'S Union)
Oscar Armando Salazar	--
Héctor Manuel Sánchez González	(Member of the INDUPLASTIC Union)
Jorge Luis Serrano	(Member of the National Tilesetters Union)
Ismael Vásquez Ortiz	(Deputy Secretary of the EGSA Union)
Florencia Xocop Chávez	(AGRICASA Union leader)

5. In notes of December 16, 1980, and April 20, 1981, the Commission again requested information

from the Guatemalan Government.

WHEREAS:

1. To date, the Government has not replied to the Commission's requests for information.
2. Article 39 of the Commission's Regulations provides as follows:

Article 39

The facts reported in the petition whose pertinent parts have been transmitted to the government of the state in reference shall be presumed to be true if, during the maximum period set by the Commission under the provisions of Article 31 paragraph 5, the Government has not provided the pertinent information, as long as other evidence does not lead to a different conclusion.

THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLVES:

1. Based on Article 39 of its Regulations, to presume to be true the events reported in the communications of June 26, 1980, and thereafter, concerning the attack against the offices of the National Workers Union (CNT) and the arbitrary arrest of 25 CNT members on June 21, 1980. Also to declare true the events connected with the violent deaths of Edgar René Aldana, Oscar Amilcar Pachuca and Father María Gran Sierra, by officials of the Guatemalan Government.
2. To declare that the Guatemalan Government violated Articles 7 (right to personal liberty), 8 (right to a fair trial), 15 (right of assembly), 25 (right to judicial protection), and 4 (right to life) of the American Convention on Human Rights.
3. To recommend that the Guatemalan Government investigate the events denounced and, if warranted, punish those responsible, and to report to the Commission in 60 days on the measures taken to implement this recommendation.
4. To transmit this resolution to the Government of Guatemala and to the claimant.
5. To include this resolution in the Commission's Annual Report to the General Assembly of the Organization of American States pursuant to Article 18 (f), of the Statute and Article 59 (g) of the Regulations of the Commission.

Note:

Dr. Francisco Bertrand Galindo declined to hear and decide on this case because he was living in Guatemala when the reported events occurred.