

TAKE ACTION: Open letter on the murder of another activist against Union Fenosa – Gas Natural in Guatemala

As a result of the murder of activists against Union Fenosa in Guatemala we hereby invite you to send the following letter to the responsible of the corporation, its main shareholders (Gas Natural, La Caixa, Repsol) and the Spanish and Catalan governments. Copy the following letter, which has already received support from over 180 organizations, and send it to the addressees below.

To:

Álvaro Colom, President of Guatemala; José Luís Rodríguez Zapatero, President of the Spanish Government; José Montilla, President del Govern de la Generalitat de Catalunya; government Trade agencies and executives of Unión Fenosa, Gas Natural, La Caixa and Repsol YPF.

On November 30, we sent a first letter exposing the killings, the persecution, the criminalization and repression to which human rights activists are subject in Guatemala. We reported the murder of Victor Galvez, a social leader of the Resistance Front for the Defence of Natural Resources and Peoples' Rights, FRENA. We also thought it important to let people know of the complaints filed by Guatemalan organizations against the irresponsible actions of Union Fenosa – Gas Natural through its subsidiaries Deocsa and Deorsa. The complaints had already been notified to Gas Natural in a letter delivered on July 8, 2009.

Unfortunately, we have to send you this letter again. On February 17 we learned about the death of another leader of the Front of Resistance in Defense of Natural Resources and Peoples Rights, FRENA. Octavio Roblero was murdered at 5.30 pm outside his business at the bus terminal in Malacatan, San Marcos, by unknown people. His murder took place after he received threats. His name was in the list of people under death threat, and an appeal for protection was filed before the Chief Justice of the Supreme Court of Justice on January 20th of this year.

On January 13 Evelinda Ramirez was also murdered, like two other FRENA colleagues. All of them had a common cause: exposing the abuses against the population committed by Deocsa, a subsidiary of Union Fenosa- Gas Natural in Guatemala.

The three leaders were murdered as a result of their social activities and their struggle against the blackouts and the excessive billing by Deocsa. For this reason we believe it is necessary to carry out a thorough investigation to find the perpetrators of the murders and to determine the responsibilities at all levels, including the potential complicity of Union Fenosa – Gas Natural subsidiaries. The recipients of the letter include the local subsidiary and also La Caixa and Repsol YPF as the main shareholders of these corporations.

We believe all these incidents are an attempt to silence the actions of the social movements and human rights advocates who expose the violation of civil and constitutional rights of Guatemalans by different actors who find shelter in the impunity favored by the Guatemalan government. There is also responsibility of the Spanish government in the impunity of these murders. After complaints were filed they have failed to implement any diplomatic or political measures necessary to clarify or stop this situation.

In response to these series of murders call for:

Alvaro Colom's government to immediately arrest, try and punish the inciter and principal

perpetrator of the murder of Octavio Roblero and of the popular leaders recently murdered.

The intervention of the International Commission Against Impunity in Guatemala (CICIG) as the only trustworthy body of investigation in the country. We urge the CICIG to speed up the proceedings started in order to prevent these murders to continue happening.

Alvaro Colom's government immediately ends the state of siege in San Marcos. The absence of a normal electricity service by the subsidiaries of Union Fenosa – Gas Natural and the citizen protests do not justify the elimination of all peoples' rights and guarantees.

An end to the harassment, threats and intimidations against human rights activists in Guatemala and against members of popular and civil organizations in Guatemala, and that human rights and fundamental freedoms are enforced all over the country in compliance with the international human rights laws ratified by Guatemala and what was agreed by the Peace Accords of 1996.

The Spanish government to comply with its obligation of making Spanish transnational corporations enforce human rights and the laws in force in all the countries where they operate; to push the Guatemalan government so that it makes use of the political will and means necessary to end with the situation of vulnerability of the Guatemalan social activists; to end with the impunity of the murderers, who find shelter in the inefficiency of the judiciary across the country; and we specifically ask for an investigation of the murders of Victor Galvez, Evelinda Ramirez and Octavio Roblero.

The Government of the Generalitat of Catalunya, since Gas Natural and La Caixa are Catalan companies, the different political parties, MPs and MEPs to comply with their obligation of monitoring the actions of the transnational corporations so that they fulfill their social responsibility of respect for human rights anywhere in the world where they have subsidiaries.

The National Contact of the Spanish State of OECD guidelines for multinational corporations, to keep record of the incidents in the Social Corporate Irresponsibility of these Spanish transnational corporations. Therefore, to the top executives of Gas Natural (current owners of Union FENOSA) and to the top executives of La Caixa and Repsol YPF, for being the controlling shareholders of Gas Natural.

We expect all of you to adopt a clear position of rejection to these incidents and a plan of action to put an end to the human rights abuses of the Guatemalan people and to be aware of and report before the corresponding authorities, the responsibility of Union Fenosa – Gas Natural in these incidents.

We demand Gas Natural to refrain from preventing this investigation and to help to the extent of its possibilities to bring this investigation to an end. We repeat that any action by Spanish transnational corporations should respect the social, civil and human rights of the peoples and they should abide by the law.

We would also like to express our solidarity with the complaint of the Guatemalan organizations and we support their demands that Union FENOSA – Gas Natural is expelled from Guatemala because we consider the policies of these Spanish transnational corporations damage the Guatemalan people, answer to a policy of profiteering at the expense of the most basic human and civil rights, and are therefore unacceptable as they are directly or indirectly causing the death of those who expose them.

Please send your replies to: info@rets.cat and anna_aapg@telefonica.net

Guatemala and the Spanish State, March 4, 2010