

amnesty international

EL SALVADOR

CONTINUED HUMAN RIGHTS VIOLATIONS AGAINST TRADE UNIONISTS

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SUMMARY

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Amnesty International has continued to receive reports of the detention, torture, "disappearance" and harassment of trade unionists since the government of President Alfredo Cristiani took office in June 1989. In several recent cases, arrests have taken place following marches and demonstrations by trade union organizations protesting government policies and demanding an end to human rights violations committed against them. Detainees frequently allege having been tortured and ill-treated by the security forces during interrogation.

On 18 September 1989, a demonstration by members of the Federación Nacional Sindical de Trabajadores Salvadoreños (FENASTRAS), the National Trade Union Federation of Salvadorian Workers, was violently broken up by the National Police and 64 people were arrested. The demonstrators, who were protesting against the detention of several FENASTRAS workers and other trade unionists the previous day, had taken refuge in a church, from which they were forcibly evicted by the police using tear gas. Most of the demonstrators were held by the National Police for three days and many claim to have been tortured and ill-treated while in detention.

These events are part of what is perceived as a wave of repression directed against trade unions in recent months. Hundreds of members of the trade union movement have been detained since June and union buildings have been raided and attacked by the security forces. Several trade unionists remain "disappeared" following detentions carried out in recent months. Many of the organizations whose members have been victims of human rights violations have been accused by the authorities of being linked to armed opposition groups. The apparently indiscriminate nature of the detentions, however, suggests that they may represent an attempt to intimidate those engaged in legitimate trade union and political opposition activity. Amnesty International is particularly concerned at reports that many of the detainees have been tortured or ill-treated, apparently in an attempt to force them to confess to links with armed opposition groups.

This summarizes a 8-page document, EL SALVADOR: Continued human rights violations directed against trade unionists, (AI Index: AMR 29/23/89), issued by Amnesty International in October 1989. Anyone wanting further details or to take action on this issue should consult the full document.

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EL SALVADOR: Continued human rights violations directed against trade unionists

Amnesty International is concerned at reports of continued human rights violations, including unlawful detention, torture and "disappearance" directed against trade unionists since the government of President Alfredo Cristiani took office in June 1989. In several recent cases, arrests have taken place following marches and demonstrations by trade union organisations protesting government policies and demanding an end to human rights violations committed against them. Detainees frequently allege having been tortured and ill-treated by the security forces during interrogation.

Leaders and members of El Salvador's trade union movement have been frequent targets of repression over the last decade. There have been several incidents this year involving mass arrests of trade unionists and members of popular organizations which suggest that such repression has intensified, particularly since the upsurge in guerrilla activity following the general elections in March.

On 18 September 1989, 64 trade unionists were detained following a demonstration organised by the Federación Nacional Sindical de Trabajadores Salvadoreños (FENASTRAS), the National Trade Union Federation of Salvadorian Workers. The demonstrators were protesting the arrest in Santa Tecla that morning of Mario Palencia, Secretary of Finances of FENASTRAS, and his wife Consuelo de Palencia, by about 26 uniformed members of the National Guard. Another eight trade unionists had been detained in the early hours of the morning, including prominent members of FENASTRAS, the Textile Workers Union STITAS, and the Cooperative Federation FEDECOOPADES. In the course of the demonstration, two buses were burned and the riot squad of the National Police moved in to suppress the demonstration. Some of the demonstrators took refuge in a local evangelical church, from which they were violently evicted by police using tear gas. Many claimed to have been beaten with rifle butts, dragged by the hair and trampled on by police.

Twenty of the 74 arrested on 18 September were released the following day and appeared on television showing visible signs of ill-treatment. Four people were said to require hospital treatment as a result of injuries sustained during their arrest. The remainder were held by the National Police for three days after which they were taken to court and charged. To date 35 have been released and 18 are awaiting trial in Mariona and Ilopango prisons on charges of subversive association.

According to statements made at a press conference by two of those released, the detainees had been treated "worse than animals" while in the custody of the National Police and seven women and one man had been raped. Amnesty International has received testimonies from some of the detainees which describe other torture methods used including near-suffocation with a capucha (a rubber or plastic hood often lined with lime), electric shocks, severe beatings and blows to the abdomen. Most were kept without food, drink or sleep for three days. One detainee claimed that when he had asked for water he had been beaten and told that "unionists don't have a right to anything" ("los sindicalistas no tienen derecho a nada").

María Juana Medina, one of those detained, stated in a testimony to a Salvadorian human rights organization that she was raped and repeatedly kicked in the abdomen, causing severe inflammation and haemorrhaging. She was hung by her feet over a stairwell and threatened with immersion in an electrified pool and with having her teeth pulled out if she did not confess to being a member of the FMLN. She denied the accusations, stating that she had spent a month in the FENASTRAS offices investigating the whereabouts of her daughter, Sara Cristina Chan, a FENASTRAS journalist who "disappeared" in August (see UA 346/89 AMR 29/21/89). She was examined on the third day of her detention by somebody who appeared to be a doctor, who recommended that she be taken to hospital immediately. The police refused, stating that this would reveal that they had used torture. Other detainees also claimed that medical personnel had been present during interrogation and some said they had been forced to take drugs resulting in nausea and vomiting.

These events are part of what is perceived as a wave of repression directed against trade unions in recent weeks. Human rights groups in El Salvador claim that figures for short-term detention of trade-unionists in the month of September are far higher than those of previous months, and they have reported numerous other cases of torture during administrative detention in this period.

On 28 September two office workers and FENASTRAS members were detained as they left the FENASTRAS offices by six heavily armed men in civilian clothing, identified by witnesses as members of the Policía de Hacienda, the Treasury Police. Two days later, three public sector workers taking part in a protest against these abductions were themselves detained by the Treasury Police and held in detention at the Treasury Police Headquarters for three days.

Pedro Cruz, Secretary General of the Union of Employees of the Salvadorian Social Security Institute (STISSS), Vilma Vásquez, leader of the National Association of Employees of the Ministry of Agriculture (ANTMAG) and STISSS member Carlos Miguel Mijango all claim to have been tortured while in detention. In his testimony, Pedro Cruz relates the circumstances of his arrest and the physical and psychological tortures to which he was subjected:

"Someone dressed in civilian clothing but from the Treasury Police came and asked me who I was. When I answered him he said, "Oh, you're secretary general of STISSS". I said I was and then some soldiers began to grab Vilma and me.....[In the detention centre] they made me stand and denied me water for the whole of my interrogation... They made me do squat thrusts [rigorous physical exercise] for at least 30 minutes and they hit me on all parts of my body, hitting me especially hard in the diaphragm and testicles....On Sunday night they put a capucha over my head that reached

down to my knees and tightened it around my neck, near-asphyxiating me... On Monday night they began to threaten me about my family ...they put another blindfold on me that had something in it that burned my eyes."

Carlos Miguel Mijango also described having been kept standing and without food, drink or sleep for the duration of his detention. Though he suffers from epilepsy, he was not allowed to take his daily medication. He was beaten repeatedly in the face and abdomen and tortured with a capucha.

The Treasury Police has also been held responsible for the detention and torture of José Antonio Serrano, leader of ANTMAG, on 8 September 1989. In a testimony given to a Salvadorian human rights organization, José Serrano described how he was detained at 7am as he was taking his son to school. Police beat him with rifle butts and took him to the Treasury Police Headquarters where he was given electric shocks and tortured repeatedly with a capucha. Weights were tied to his genitals and he was placed in what he described as an "electric chair". After three days he was taken to court and charged with "subversive activity" and membership of a guerrilla organisation and is currently in Mariona Prison.

Most of the above-mentioned detainees claim to have been forced under torture to sign confessions admitting membership of the FMLN or of other armed opposition groups. The arrests have coincided with the resurgence of FMLN activity following the end of the first round of peace talks with the government in mid-September. María Juana Medina said she was forced to sign five statements confessing that she had joined the FMLN to avenge the "disappearance" of her daughter and the assassination of her husband by "death squads" in 1980. On her release she was told by the police that the rest of her family would be killed if she was ever seen on another union demonstration.

In order to justify the arrests of trade unionists and other members and leaders of grassroots organisations, the military and civilian authorities often accuse them of being implicated in terrorism and "subversive activity". The press often publishes statements from the government to this effect. However, Amnesty International considers that a large number of trade unionists may have been detained merely for their involvement in trade union activity and for their non-violent opposition to government policies, and may thus be prisoners of conscience.

Many trade unionists detained since June remain "disappeared". Marta Lidia Guzmán, secretary of the Unión Nacional de Damnificados de El Salvador (UNADES), the National Union of Earthquake Victims of El Salvador, "disappeared" on leaving the UNADES offices on 3 June. José Nicolás Aviles Urbina, a leader of the Agricultural Workers' Union, ANTA, has been "disappeared" since 4 September. Sara Cristina Chan Chan, a journalist for FENASTRAS, and Juan Francisco Masín Chavez, a worker and SELSA union member at the LIDO factory in San Salvador, were detained by members of the Air Force on 19 August. Their detention has not been acknowledged, despite appeals from Amnesty International and other organizations, and their whereabouts are officially unknown, though they are believed to be being held at the Air Force headquarters. The Air Force have also denied the detention of Gerardo Rivas Mena, member of the Water Workers Union, SETA, who according to witnesses was detained by members of the Air Force on 9 October. To Amnesty International's knowledge, his whereabouts have not been clarified.

Trade union offices have continued to be frequent targets of violent attacks since June. On 5 September, the FENASTRAS offices suffered their third bomb attack this year. The perpetrators of the attack are widely believed to have been members of the National Police and of the Air Force, who had been surrounding the building for a week following protests organized by FENASTRAS against the "disappearance" of Sara Cristina Chan Chan and against recent price increases. Though there were no injuries, the damage caused was extensive. The National Police have officially denied the attack. ANTMAG reported a raid on their offices on 14 September by members of the Treasury Police, who also arrested two ANTMAG leaders on 24 September after ransacking their homes.

The Federation of Independent Associations and Trade Unions of El Salvador, FEASIES, denounced on 29 September the encirclement by Air Force troops of 20 factories in northeastern San Salvador. According to FEASIES, the Chief of the Armed Forces, General Rafael Bustillos, held regular meetings with management in order to identify union activists. An industrial dispute at the Santa Mercedes factory led to a virtual siege of the factory by members of the Air Force, who raided the factory on 13 September. Following a second raid on the night of 18 September, three STITAS members who were sleeping in the factory were arrested.

In recent weeks, many other unions, including the Agricultural Workers Union, ANTA and the Construction Workers' Union, SOICSCES have organized strikes and protests against what they see as a marked increase in repressive acts directed against their members by the security forces since the coming to power of President Cristiani. These violations have also been denounced by the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities which stated in a resolution of 31 August 1989 that it was "deeply concerned at the continued raids on trade union premises... and the repressive measures against organized workers attempting to exercise their labour rights."

A peace vigil held in San Salvador Cathedral by the Comité Permanente del Debate Nacional (CPDN), the Permanent Committee on the National Debate, which includes representatives of church, trade union and humanitarian groups, was reportedly attacked on 16 October by gunmen who fired into the crowd, seriously injuring three people. The gunmen, who were subsequently apprehended, are alleged to have been members of the Air Force and National Police. The CPDN had organized the two-day vigil to mark the second round of peace talks between the government and the FMLN on 15 and 16 October. Human rights sources in El Salvador report that several trade union demonstrations held in support of the CPDN during this time were broken up by the police and army.

The government has also introduced legislation to reform the penal code which would criminalize as "acts of terrorism" much trade union activity which is now considered lawful, including peaceful occupation of churches, workplaces and public squares. Amnesty International is concerned that the proposed legislation might legalise the imprisonment of trade unionists for their non-violent expression of their political opinions. Amnesty International would consider such prisoners to be prisoners of conscience. The new code would also penalise "sending messages abroad... or travelling abroad on visits... which encourage other states or international organisations to intervene in matters concerning El Salvador". If passed, the legislation might thus have serious implications for journalists and human rights workers reporting on human rights violations, as well as for trade unionists.

APPENDIX 1

Below is a list of some of the trade unionists detained, tortured and "disappeared" since June 1989.

<u>"Disappeared"</u>	Union/Federation	Date and reported details of detention
Marta Lidia GUZMAN	UNADES	3 June
José Nicolás AVILES URBINA	ANTA	4 June
Juan MENDOZA AVILA	FESTIAVTSCE	28 July
Sara Cristina CHAN CHAN	FENASTRAS	19 August/ Air Force
Juan Francisco MASIN CHAVEZ	SELSA	19 August/ Air Force
Gerardo RIVAS MENA	SETA	9 October/ Air Force

Currently in Prison Awaiting Trial

José German MURCIA MEJIA	FENASTRAS	17 August Air Force
Francisco Israel MONTANO	FENASTRAS	17. August Treasury Police
Susana Dolores RODRIGUEZ	FENASTRAS Secretary for Acts	18 September National Guard
Juan Antonio REYES ZETINO	FENASTRAS Secretary for Disputes	18 September National Police
Juan Antonio MORENO MORENO	FENASTRAS Publicity Secretary	"
Felipe VASQUEZ MIRANDA	SOICSCES	"
Francisco RAMIREZ HERRERA	SOICSCES Secretary for Disputes	"
Pablo LOPEZ MORALES	SOICSCES Public Relations Sec.	"
Rodolfo MOLINA LOPEZ	SOICSCES	"
Napoleón RIVAS ALAS	SOICSCES	"
Carlos LOPEZ BARAHONA	SOICSCES	"
José Salvador MAGAÑA	SOICSCES	"

Juan José HUEZO	STITAS General Secretary	16 March
Mercedes GARCIA GUTIERREZ	STITAS Finance Secretary	18 September National Guard
Ana Guadalupe ALVAREZ	STITAS	"
José Antonio SERRANO	ANTMAG Secretary	8 September Treasury Police
Gilberto RODAS CORDOVA	ANTMAG Training Secretary	24 September Treasury Police
Juan Raúl CHAVEZ MORENO	ANTMAG	"
Pedro GARCIA	ATRAMEC	19 August
Jorge Alberto COREAS	ATRAMEC	19 August
Rafael ZEPEDA	SETA	30 July Treasury Police
Oscar BOLAÑOS AGUILAR	SETA	8 September Treasury Police
Abraham RIVAS GAMERO	FESTIAVTSCEs Union Education Sec.	27 July Treasury Police
José VANEGAS	FESTIAVTSCEs Disputes Sec.	"
José Rufino ARDON	FESTIAVTSCEs	"
Mercedes VASQUEZ de SALGADO	ANDES	16 August Treasury Police
Pedro LUCHA	FEDECOOPADES	18 September
Faustino FABIAN	FEDECOOPADES	18 September
Randolfo GODOY	ANTA	17 September
Oscar FERNANDEZ MARTINEZ	ANTA	28 September

Tortured during short-term detention

Mario Alberto PALENCIA	FENASTRAS Finance Secretary	18 September National Guard
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Olga Marisol DIAZ TOBAR	FENASTRAS Secretary	"
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José Daniel LOPEZ MELENDEZ	FENASTRAS Secretary	18 September National Police
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and 19 other FENASTRAS workers detained on 18 September by National Police

Adalberto MARTINEZ MARTINEZ	SETA Sec. for Disputes	18 September National Police
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Benjamín GARCIA ASUNCION	SOICSCES Secretary	18 September National Police
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José Daniel LOPEZ MELENDEZ	SOICSCES Sec. for Union Education	"
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and 16 other SOICSCES members detained 18 September by National Police

Tomás MAZARIEGO	ASSTEL	12 June Treasury Police
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José Antonio CHAVEZ ALFARO	ASTIRA	26 July 2nd Brigade
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Edwin Alfredo TREJO AVALOS	STITGASC	18 September National Police
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Rogelio MARTINEZ BARRERA	STITGASC	"
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Julia MENDOZA AGUIRRE	STITGASC Publicity Secretary	"
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Vilma VASQUEZ	ANTMAG Secretary	30 September Treasury Police
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Pedro CRUZ	STISSS General Secretary	"
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Carlos Miguel MIJANGO	STISSS	"
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APPENDIX 2

List of Trade Union Acronyms

ANDES	Asociación Nacional de Educadores de El Salvador (National Union of Salvadorian Teachers)
ANTA	Asociación Nacional de Trabajadores Agropecuarios (National Association of Farmworkers)
ANTMAG	Asociación Nacional de Trabajadores del Ministerio de Agricultura y Ganadería (National Union of Workers of the Ministry of Agriculture and Livestock)
ASTTEL	Asociación Salvadoreña de Trabajadores de Telecomunicaciones (Salvadorian Union of Telecommunication Workers)
ASTIRA	Asociación Salvadoreña de Trabajadores del Instituto Regulador de Abastecimiento (Salvadorian Association of Workers of the Institute of Basic Provisions)
ATramec	Asociación de Trabajadores del Ministerio de Educación y Cultura (Association of Workers of the Ministry of Education and Culture)
FEASIES	Federación de Asociaciones Sindicales Independientes de El Salvador (Federation of Independent Trade Unions of El Salvador)
FEDECOOPADES	Federación de Cooperativas de Producción Agropecuaria de El Salvador (Federation of Agricultural Producers' Cooperatives of El Salvador)
FENASTRAS	Federación Nacional Sindical de Trabajadores Salvadoreños (National Trade Union Federation of Salvadorian Workers)
FESTIAVTSCS	Federación Sindical de Trabajadores de la Industria del Alimento, Vestido, Textil, Similares y Conexos de El Salvador (Trade Union Federation of Salvadorian Food, Clothes, Textile and Related Industries Workers)
SELSA	Sindicato de Empresa LIDO, S.A. (LIDO Factory Union)
SETA	Sindicato de Empresa Trabajadores de ANDA (Union of the State-run Water Service Company, ANDA)
SOICSCS	Sindicato de Obreros de la Industria de la Construcción, Similares y Conexos de El Salvador (Salvadorian Construction Workers' Union)
STISSS	Sindicato de Trabajadores del Instituto Salvadoreño del Seguro Social (Union of Workers of the Salvadorian Social Security Institute)

STITAS	Sindicato de Trabajadores de la Industria Textil, Acabados de Algodón, Sintéticos y Conexos
STITGASC	Restaurant and Hotel Workers Union
UNADES	Unión Nacional de Damnificados de El Salvador (National Union of Earthquake Victims of El Salvador)