

Congress of the United States
Washington, DC 20515

March 10, 2005

Ambassador Peter Allgeier
Deputy United States Trade Representative
Office of the United States Trade Representative
600 17th Street, N.W.
Washington, DC 20508

Re: Petition to Suspend Guatemala's Designation as an Eligible Developing Country
under the Generalized System of Preferences

Dear Ambassador Allgeier,

We are deeply concerned with recent developments in Guatemala with regard to labor law and practice and hope that the Office of the United States Trade Representative might once again play a critical role in encouraging the Guatemalan government to respect and promote workers' rights. On December 13, 2004, the Washington Office on Latin America (WOLA) and the US/Labor Education in the Americas Project (US/LEAP) filed a petition under the Generalized System of Preferences (GSP) with the USTR that highlights deficiencies in Guatemalan labor law, egregious violations of existing law, and numerous broken promises made by the government in the context of previous GSP reviews. The undersigned support this GSP petition, which has been endorsed by the American Federation of Labor-Congress of Industrial Organizations, and urge the USTR to take this opportunity to demand that Guatemala take the steps necessary to respond fully to each of the issues raised therein.

Since the insertion of worker rights language in the GSP in 1985, petitions have been filed almost annually against Guatemala for its abysmal worker rights record, leading the USTR, in response, to put the country under "review" for the first time in 1992 and numerous times thereafter. While such reviews were useful in resolving some of the individual cases and in achieving modest reforms, Guatemala's record is still inadequate. Guatemala has made several commitments to the USTR to improve its labor rights record in order to remain a beneficiary of preferential trade treatment, and each year, those commitments are broken.

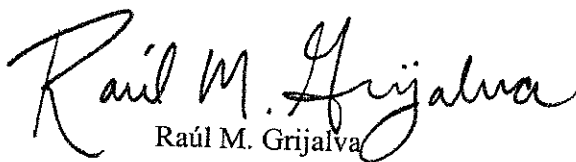
In the course of the last review, Guatemala promised substantial labor law reforms, a significant increase in the budget for the Ministry of Labor, and greater compliance with its laws. Guatemala has done none of these things: the law remains unchanged, the budget is far less than promised, and, incredibly, the labor inspectorate has been stripped of its ability to assess administrative fines leaving no one with the authority to punish violators. Moreover, several cases involving violence against trade union activists remain uninvestigated or unresolved, lending to the generalized environment of impunity in the country.

This issue is all the more critical given that the U.S. Congress will soon be asked to ratify a comprehensive trade agreement with Guatemala, the Central American Free Trade Agreement (CAFTA). Many of us have already expressed our concern that the CAFTA labor chapter is too weak and would be ineffective. Indeed, CAFTA provides no mechanism to deal with Guatemala's inadequate laws or any future weakening of those laws. Additionally, the dispute resolution mechanism available to address non-enforcement of labor law does not meet the requirements set forth in the Trade Promotion Act of 2002, and is a step backward from the GSP complaint process.

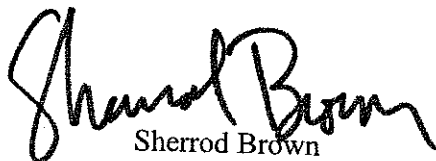
We believe that our trade practices should promote and reward high standards with regard to worker rights. To do this, the office of the USTR should hold accountable those governments that do not meet these standards and do not fulfill their promises to make improvements.

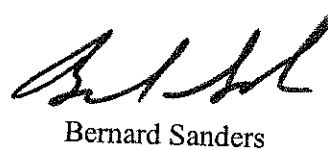
We believe that our trade practices should promote and reward high standards with regard to worker rights. Governments that do not meet these standards and fail to fulfill their commitments to improve their labor practices should be held accountable by the office of the USTR. Therefore, we respectfully urge you to review the GSP petition on Guatemala and ensure that significant changes are made in labor law and practice before we consider expanding the scope of our trade relations with Guatemala.

Sincerely,


Raúl M. Grijalva


Lane Evans

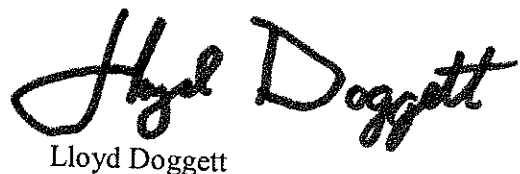

Sherrod Brown

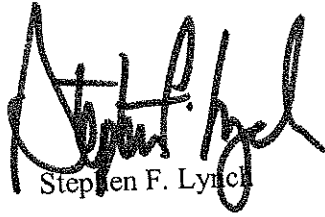

Bernard Sanders

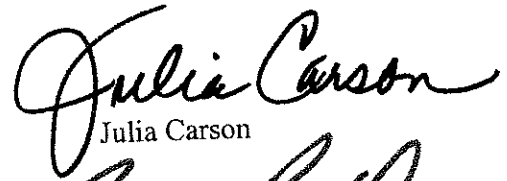

Hilda L. Solis

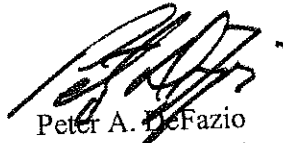

Barbara Lee

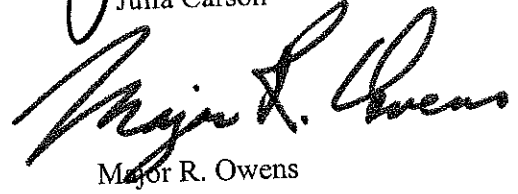

Brian Higgins

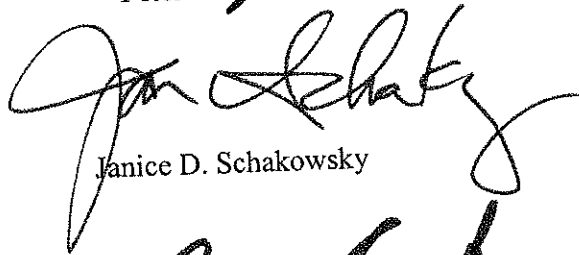

Lloyd Doggett


Stephen F. Lynch



Julia Carson


Peter A. DeFazio


Major R. Owens

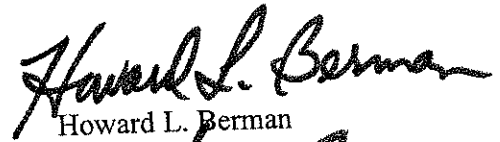

Janice D. Schakowsky


Tim Ryan

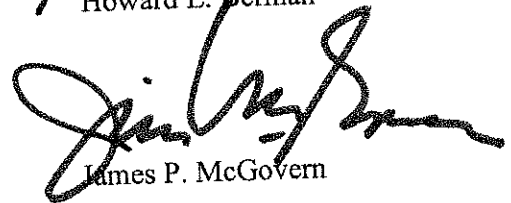

Barney Frank

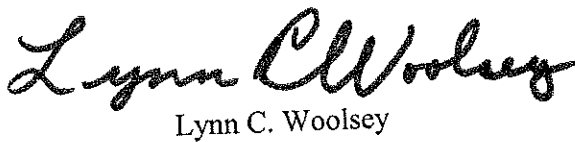

Daniel Lipinski

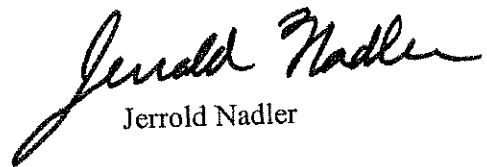

Bob Filner

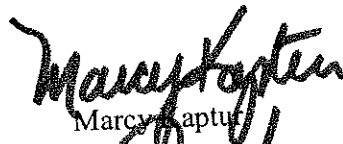

Howard L. Berman


Edolphus Towns

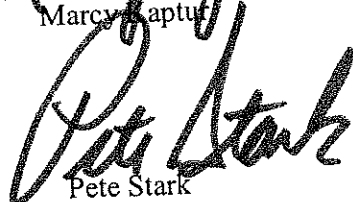

James P. McGovern

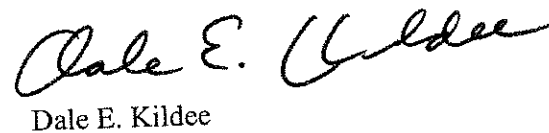

Lynn C. Woolsey


Jerrold Nadler


Marcy Kaptur


Donald M. Payne


Pete Stark


Dale E. Kildee

Ted Strickland
Ted Strickland

Dennis J. Kucinich
Dennis J. Kucinich

Jim Oberstar
James L. Oberstar

Linda T. Sanchez
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Tammy Baldwin
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