ILO Urges Mexico to Resolve Dispute with Miners Union

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The International Labor Organization (ILO) has asked President Felipe Calderon's administration to resolve its longstanding leadership dispute with the miners union (Sindicato Nacional de Trabajadores Mineros, Metalurgicos y Similares de la Republica Mexicana, SNTMMSRM). Calderon and his predecessor ex-Presidente Vicente Fox have prevented Napoleon Gomez Urrutia from assuming the top leadership post in the union, even though he was elected by a majority of union members.

The government, which under the law has the power to certify union leaders, claims Gomez Urrutia cannot legally lead the union because he is under investigation in three separate cases of criminal activity, including one of allegations that he embezzled funds from SNTMMSRM. A defiant Gomez Urrutia, who is in exile in Canada, has directed the union not to negotiate with the government, which has prevented resolving strikes at three important mines.

ILO says union has right to elect own leaders

In mid-June, the ILO's Committee on Freedom of Association (CFA) appealed to the Calderon government to reach a negotiated resolution with Gomez Urrutia in order to preserve the rights of Mexican labor unions. The CFA said the government's decision not to recognize Gomez Urrutia's election violates the ILO's statutes, which give union members the right to elect their own leaders.

Rather than recognize Gomez Urrutia's election, the government in 2006 installed retired union leader Elias Morales as head of the SNTMMSRM (see SourceMex, 2006-03-01). The ILO also said it was concerned that the Calderon administration had yet to respond to the charges presented by the union that the federal government had issued illegal arrest orders, had frozen the SNTMMSRM's bank accounts, and had threatened members with violence.

Officials for the miners union urged the Calderon government to heed the recommendations of the ILO to resolve the dispute and in particular to recognize the SNTMMSRM's right to select its own leaders. "Even though this is a problem that the Calderon government inherited from the previous administration, it has failed to resolve the conflict during the course of 20 months," the union in a statement.

Union re-elects controversial leader

Just weeks before the ILO issued its appeal to the Calderon government, the union voted at a convention in May to name Gomez Urrutia as its leader, giving him the power and the right to exercise the faculties of his office from abroad if necessary. The decision in effect extended the term of Gomez Urrutia, which would have concluded on May 30. The Secretaria del Trabajo y Prevision Social (STPS) immediately rejected the decision by the union.
STPS officials later explained the decision, saying that Gomez Urrutia was ineligible to assume the leadership post because he was under criminal investigation for fraud and embezzlement of union funds. The SNTMMSRM responded to the STPS' rejection of Gomez Urrutia by holding a series of demonstrations around the country, including a huge march in Mexico City in early June. "We will use all legal means to push the government to recognize Gomez Urrutia," said Carlos Pavon, the union's political-affairs secretary. Gomez Urrutia, in a video conference from Vancouver, Canada, called the rejection of his election an "irresponsible provocation" by the Calderon government, but he also reiterated Pavon's comments that he would first seek a resolution through legal means. "We are prepared to file appeals through the courts to obtain labor autonomy," said the union leader.

Still, Gomez Urrutia held out the option of extended labor actions, included the possibility of a prolonged strike. "We could take actions ranging from small marches and protests in front of the STPS to an extended national strike," said the labor leader.

The government's conflict with Gomez Urrutia is considered one of the obstacles blocking a resolution to extended strikes at three major mining operations in Mexico: Cananea in Sonora state, Taxco in Guerrero state, and Sombrerete in Zacatecas state. All three mines are operated by mining and railroad conglomerate Grupo Mexico, which has had frequent conflicts with the miners union. The company has threatened to close all three facilities if the labor conflict is not resolved.

The ILO resolution urged the Calderon government to settle the strikes at the three mines. Operations resumed partially at the Cananea copper mine in January after a federal labor board declared the strike illegal (see SourceMex, 2008-01-16), but the labor conflict at the facility remains unresolved. Gomez Urrutia said the union would be willing to reopen negotiations at the three mining operations if the government agreed to withdraw arrest orders against several members of the union, including himself.

In a message to union members at the three mines, Gomez Urrutia asked strikers at the mine to hold on a little longer until the matter was resolved. The appeal met criticism from a group of SNTMMSRM dissidents, who accused the union leader of using workers at the three facilities as pawns in his power struggle with the government. "It is clear that Napoleon is not truly interested in the labor situation of the workers [at the three facilities]," said Agustin Acosta Azcon, a spokesperson for the dissident union members.

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