

The right to strike is sacred

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Something very serious is happening in the relationship between some companies and their unions and in the current government's labour politics, without anyone noticing, at least in public, which is entering the realm of acute crisis. It seems as if those responsible for looking out for workers' rights according to the constitutional mandate drawn up in 1917, which is still in place despite its detractors, have turned and are wholly committed to defending the interests of businesses at all costs. One of the most serious expressions of this behaviour is when labour authorities denies the application of the constitutional right to strike, which is not only a Mexican by a universal right, enshrined in the World Trade Organization (WTO) Convention 87 on union freedom, which the Mexican government signed over 60 years ago.

This is testified to by the multiple injustices in which employees or workers and their authentic organisations have been victimised, not only through habitual exploitation and outrageous offences on the part of bosses, but also because bosses know that the labour authority offers them all the support they need to protect themselves against the fair demands of employees. An example is the cancelled strike at the prestigious Research Centre for Nutrition and Development (CIAD) in Hermosillo, Sonora, and its extensions in various parts of the country, to which the lawyer Arturo Alcalde Justiniani made ample reference in these pages of *La Jornada* on Saturday 5 March. There are similar cases of restricting the right to freedom of association of workers in Honda, Gunderson, PKC Arneses y Accesorios, Teksid, Pytco and many other companies.

Of course not all bosses are involved in these anti-worker policies, since many stick to what is indicated by law and the fair treatment that their workers deserve, even in the midst of inevitable differences. The fact is that the current labour authority maintains the fixed and reactionary idea that in Mexico we have moved beyond strikes, or, and this amounts to the same, that we have moved beyond class struggle. This is precisely what we are experiencing around the strike that was legally called and put in place this 4 March by the National Mine Workers' Union and members of section 271 against the Mexican subsidiary of the global steelworking company ArcelorMittal, both located in the industrial port of Lázaro Cárdenas, Michoacán.

Employees of the Ministry of Work and Social Prevision (STPS) have, as a result of their personal or group interests, been using these illegal and unconstitutional arguments to justify the absurd position that in Mexico there have been no strikes in the past two years and, as such, have decided at all costs that the outbreak of the conflict in Lázaro Cárdenas, Michoacán, is "illegal". By its own weight this becomes a lie that seriously affects labour relations in this company, one that cannot be accepted because it would be damaging for workers right across the country.

On 18 June 2015 ArcelorMittal began a legal process and for eight months postponed the outbreak

of the strike on 16 occasions because it suited the company, given that, it said, it was facing a serious situation of steel being imported from China and other countries at dumping prices. The STPS approved these postponements. But this last one was made illegally through the Federal Council of Conciliation and Arbitration, only an hour before the strike broke out, in other words at 11am on 4 March, when there was a decision to “archive” the document that called the strike and with this endanger workers' constitutional right to strike. The result is that this arbitrary decision, which could even result in repression, will be the direct responsibility of the company ArcelorMittal, the STPS and the government of Michoacán.

This is a fact that needs to be clearly defined by Enrique Peña Nieto's government. This was the view of the mining union when on 4 March it sent a letter to the president in which it demanded: (1) that the constitutional right to strike of miners in Lázaro Cárdenas, Michoacán be respected; (2) that there be no repression against them and (3) that the solution to the conflict should be conciliatory and peaceful, through dialogue between both parties, as laid out in Mexican law. The letter asked the president to remember what happened 10 years ago in this same place with the criminal and irresponsible repression by Vicente Fox's government on the workers' strike, the result of which was that two miners were murdered by the heavily armed military forces and dozens of workers were wounded.

If the current Minister for Work, Alfonso Navarrete Prida, wants to lend some reality to his statement that in Mexico there are no longer any strikes, he will have to take steps towards resolving those that are presented with full respect for the Constitution, so that his claim garners some truth. For this he would need to regain the leadership of his ministry's policies from the hands of his under-minister A, Rafael Avante Juárez. This civil servant was put in position by Germán Larrea's Grupo México at the start of this federal administration, or may even have been on the payroll of that company given his “contribution” to the PRI's electoral campaign. Avante is the person who manages the interests that companies such as Grupo México imposed in the last term of the pernicious Javier Lozano, who is clearly the person who left his inheritance to Avante Juárez, his close collaborator who has always taken an anti-worker and anti-union stance. It seems that the true driver of the STPS is now Rafael Avante and not Alfonso Navarrete Prida.

The solution to the labour conflict in Lázaro Cárdenas, Michoacán, would be possible if the STPS dropped its position against the right to strike, because it lacks any legal, constitutional or international basis, to archive its call to strike, when this is legally supported in constitutional precepts and global conventions such as the WTO's, of which the Mexican government has been a signatory for decades. The solution also lies in ArcelorMittal taking a peaceful route towards the conciliation of interests, of which it has given good signs in the past but which it now seems to forget, rather than through confrontation with its workers and the union that represents them.

The right to strike is sacred and must remain in place above any consideration or particular interest, and above any policy that goes against democracy and union freedom.