



Governing Body

353rd Session, Geneva, 10–20 March 2025

Institutional Section

INS

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Eleventh item on the agenda

Complaint alleging non-observance by Guatemala of Conventions Nos 87 and 98

1. At its 352nd Session (October–November 2024), the Governing Body examined a report of the Officers on a complaint concerning non-observance by the Government of Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), submitted under article 26 of the ILO Constitution by several Workers' delegates to the 111th Session (2023) of the International Labour Conference.¹
2. Having considered the document submitted by the Officers, the Governing Body: (a) requested the Government of Guatemala to continue intensifying its efforts to implement Conventions Nos 87 and 98; (b) requested the Office to continue expanding its technical assistance programme to ensure further progress in the implementation of the referred Conventions; (c) strongly encouraged the international community to contribute to the above-mentioned technical assistance programme by providing the necessary resources; and (d) deferred to its 353rd Session (March 2025) the decision to consider further action in respect of the complaint, based on information to be submitted by the Government on further developments.
3. On 2 December 2024, the Director-General informed the Government of Guatemala of the decision adopted by the Governing Body and requested it to provide information on the issues raised in the complaint. In a communication dated 13 January 2025, the Government sent its observations (see appendix), summarized as follows.

¹ GB.352/INS/13(Rev.1).

► I. Summary of the observations provided by the Government

4. The Government highlights its efforts to increase the relevance and impact of tripartite social dialogue in the country. In particular, it indicates that during the course of 2024: (i) the National Tripartite Committee on Labour Relations and Freedom of Association (CNTRLLS) held 12 meetings at which it was possible to address topics such as regulation of the approval of collective agreements, adoption of the Guide to Freedom of Association and addressing legislative reforms (Bills 5508 and 6162); (ii) the three subcommittees of the CNTRLLS held 32 meetings; (iii) the National Wage Commission provided input that allowed the Government to set the minimum wage increase for 2025; and (iv) the Tripartite Council of the General Labour Inspectorate held two meetings.
5. With regard to the situation of anti-union violence and impunity mentioned in the complaint, the Government indicates that, according to data provided by the Public Prosecutor's Office: (i) 5 cases involving the killing of members of the trade union movement were recorded in 2024; (ii) 82 homicide cases had a procedural outcome (21 cases with convictions, 5 with acquittals, 1 with a security and correctional measure, 6 cases in which criminal proceedings have expired, 49 cases shelved); (iii) particular efforts were made in 12 cases to achieve a prompt and timely procedural outcome (7 cases in which arrest warrants were issued, 5 cases at the intermediate stage); and (iv) 10 cases are at the investigation stage. The Government recognizes the challenges posed and indicates that in order to step up the investigation and prosecution of cases of violence against trade union leaders and members, a budget of US\$1.7 million should be allocated to the Office of the Special Prosecutor for Crimes against Judicial Officials and Trade Unionists in 2025.
6. The Government reaffirms its commitment to protecting trade unionists under threat. It indicates that in 2024, through the Ministry of the Interior: (i) 81 security measures were granted to trade union leaders; (ii) 160 investigations into threats against trade unionists were carried out; and (iii) 5 meetings of the trade union technical round table were held at which the review of the protocol for protective measures for trade unionists was resumed. In 2025, programmes to strengthen the emergency telephone line 1543 and an awareness-raising campaign on the protection of trade union leaders and trade unionists are envisaged.
7. With regard to the allegations of anti-union dismissals, the Government reiterates the information provided in its previous communications concerning the results of the collegial peace court in criminal matters for cases involving offences of non-compliance with labour decisions, and its efforts to bring the CNTRLLS to meet with the judges of the Chamber of Constitutional Protection and Preliminary Proceedings. With respect to the trade union register, the Government indicates that: (i) it continues to disseminate the Guide to Freedom of Association approved by tripartite agreement; and (ii) between January and November 2024, 58 applications for registration were received, 41 were registered (this number includes registration files active prior to 2024), 32 applications were rejected, preconditions were issued in 4 cases and 3 files were shelved.
8. As regards the promotion of collective bargaining, the Government: (i) recalls the ongoing initiative, in consultation with the social partners, to regulate, in a clear and balanced manner, the approval of collective agreements; (ii) thanks the Office for undertaking a study on collective bargaining in the public sector in Guatemala; and (iii) plans to hold training workshops with workers and employers on the principle of legality and bargaining as a prelude to the tripartite consultations within the CNTRLLS.

9. The Government reiterates its commitment to the legislative reforms addressing the observations of the Committee of Experts on the Application of Conventions and Recommendations (CEACR) concerning Convention No. 87 and, in particular, Bills 5508 and 6162. An expanded meeting of the CNTRLLS was scheduled for 23 January 2025 to review the current status of both initiatives and identify specific actions to promote them in the Congress of the Republic.
10. The Government once again states that it has been able to count on the full support of the Office in its activities to promote freedom of association and collective bargaining. It once again requests the Office to continue to promote its technical assistance programme and to encourage the international community to contribute the necessary resources for its development. The Government indicates that such support will make it possible to address multiple areas of technical assistance, such as: (i) the continuation of tripartite dialogue to reform legislation on industrial unions, sectoral bargaining and certain aspects of the right to strike; and (ii) the promotion of a professional freedom of association and collective bargaining campaign.

► II. Other elements

11. Since the 352nd Session of the Governing Body (October–November 2024), the Office has continued its activities to assist with the implementation of the road map on freedom of association, based on the priority actions identified by the joint mission of the International Labour Organization, the International Organisation of Employers (IOE) and the International Trade Union Confederation (ITUC) in September 2022. Most notable are: (i) the preparation of a study on collective bargaining in the public sector in Guatemala, mentioned in paragraph 8 of this document; (ii) support for the functioning of the CNTRLLS and its various subcommittees; and (iii) capacity-building on international labour standards and technical assistance for the labour inspectorate for the development of strategic plans. During the first half of 2025, the Office plans a series of activities, including: (i) presentation of the study on collective bargaining in the public sector to the CNTRLLS for discussion; (ii) provision of support to the functioning of the Ministry of the Interior's trade union technical round table; (iii) provision of training for officials from the Ministry of the Interior, National Civil Police staff and other key government officials on international labour standards with emphasis on freedom of association; and (iv) development of a plan of action to follow up on the 2024 analysis on compliance with court reinstatement orders.
12. The Office continues to work with the international community to ensure the economic sustainability and continuity of ILO technical assistance activities for the implementation of the road map on freedom of association and for the strengthening of the CNTRLLS. In this context, the European Union has committed funds so that the second phase of the project to support the implementation of the road map on freedom of association can commence operations during 2025.
13. At its November–December 2024 meeting, the CEACR adopted comments in which it examined the application by Guatemala of the Conventions covered by the complaint (Conventions Nos 87 and 98). In relation to Convention No. 87, the CEACR: (i) while duly noting the Government's efforts, noted with concern the persistence of serious violations of the Convention; and (ii) urged the Government, with the participation of the CNTRLLS and with ILO technical assistance, to intensify its efforts to overcome the legislative and practical difficulties.

In relation to Convention No. 98, the CEACR: (i) took due note that the Government had availed itself of ILO technical assistance to address several of the serious difficulties concerning the application of the Convention that had been noted for many years; and (ii) encouraged and urged the Government to, with the participation of the CNTRLLS, take all necessary legislative and practical measures to resolve these issues.

14. In accordance with article 26 of the Constitution, it is for the Governing Body to take the necessary decisions concerning future action on this complaint.

► Draft decision

15. **The Governing Body:**

- (a) **requested the Government of Guatemala to continue intensifying its efforts to implement the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);**
- (b) **requested the Office to continue expanding its technical assistance programme to ensure further progress in the implementation of the referred Conventions;**
- (c) **strongly encouraged the international community to contribute to the above-mentioned technical assistance programme by providing the necessary resources;**
- (d) **deferred to its 355th Session (November 2025) the decision to consider further action in respect of the article 26 complaint.**

► Appendix

Report sent by the Government of Guatemala (7 January 2025)

Guatemala, 7 January 2025
DM- 32-2025 MCRC/DNO/EEM

Ms Corinne Vargha
Director, ILO International Labour
Standards Department
Geneva, Switzerland

Dear Director,

I am writing to you with reference to your communication in official letter R: TUR 1-27 dated 2 December 2024, in which you refer to the decision adopted by the Governing Body at its 352nd Session in June 2024 on the complaint made against the Government of Guatemala under article 26 of the ILO Constitution, alleging non-observance of Conventions Nos 87 and 98 on freedom of association and collective bargaining. In this regard, we reiterate that, supported by tripartite dialogue, as a country we engage in ceaseless efforts to fulfil our international commitments, with special emphasis on Conventions Nos 87 and 98 on freedom of association and collective bargaining in a legal framework. In response to the legitimate concerns of the social partners about the implementation of the Conventions concerned, the challenges that we as the State of Guatemala face in achieving the full implementation of these standards and in response to the draft decision contained in document GB.352/INS/13(Rev.1), the Government wishes to make the following comments.

1. The Governing Body requested the Government to continue intensifying its efforts to implement Conventions Nos 87 and 98

The Government has been stepping up efforts to increase the relevance and impact of tripartite dialogue on Guatemalan industrial relations, especially in the National Tripartite Committee on Labour Relations and Freedom of Association (CNTRLLS), which held a total of 12 meetings during 2024 at which topics of special interest to certain sectors were addressed, as well as matters relating to freedom of association and collective bargaining, within the framework of the international commitments undertaken. The topics highlighted include dialogue geared towards regulation of the approval of collective agreements on working conditions, adoption of the Guide to Freedom of Association and addressing Bills 5508 and 6162, having agreed that an expanded meeting of the CNTRLLS and its subcommittees would be held on 23 January 2025 to discuss their content, proposed on a tripartite basis to the Congress of the Republic, and gain an in-depth understanding of the reasons underpinning the opinion of the Parliamentary Labour Commission upholding Bill 6162. Furthermore, the National Wage Commission played its role as a tripartite forum, providing input that would allow the minimum wage to be fixed for 2025 and, by Government Agreement No. 264-2024,¹ establishing a 10 per cent increase for agricultural and non-agricultural activities and 6 per cent for export and maquila activities, with the aim of generating positive growth in the national economy. It is important to note that the government sector has for a number of years

¹ See: <https://drive.google.com/file/d/105xaQNY-dOf0ojLThfDFqg1n9V-WC50A/view?usp=sharing>.

been recommending in this tripartite forum that the purchasing power of the basic food basket, which has not been increased for several years, begin to be raised. In addition, the Government of Guatemala highlights the work of the CNTRLLS subcommittees, noting that during 2024, 32 meetings were held by the three subcommittees and, in the case of the Tripartite Council of the General Labour Inspectorate, that it held two meetings on 7 May and 30 September 2024.

2. The Governing Body requested the Office to continue expanding its technical assistance programme to ensure further progress in the implementation of the referred Conventions

The Office has provided full support to the Government and other stakeholders, with a view to promoting dialogue and setting in motion actions that will contribute to compliance with international commitments. This support has taken the form of: **(2.1)** the launch, on 28 October 2024 of a “Study on collective bargaining in the public sector of Guatemala with particular focus on the approval of collective agreements by the public authorities, identification of the main challenges and possible solutions in the light of ILO standards and Latin American comparative law”, which will be shared with the social partners; **(2.2)** the strengthening of the Subcommittee on Mediation and Conflict Resolution (SCMRC) of the CNTRLLS is being approached through the regional initiative for the strengthening of social dialogue and industrial relations of the ILO Regional Office for Latin America and the Caribbean. This initiative, being supported by the stakeholders, will be used to develop the capacities of the SCMRC, with particular focus on the promotion of freedom of association and collective bargaining, and define the profile of the mediator, which is necessary for its effective functioning; and **(2.3)** the provision of forums for tripartite dialogue in order to make further progress on commitments made in the framework of the road map.

3. The Governing Body strongly encouraged the international community to contribute to the above-mentioned technical assistance programme by providing the necessary resources

As indicated by the European Union, support to the country to strengthen compliance with its international commitments is expected to continue in 2025, as is support for the CNTRLLS. In this context, the Office is respectfully urged to support the Government in encouraging the international community to contribute the necessary resources for the technical assistance that the country needs, given that it is essential to have various sources of financing in order to cover the various areas in which such assistance is needed, including: **(3.1)** continuing tripartite dialogue to reform legislation on industrial unions, sectoral bargaining and certain aspects of the right to strike with the participation of all parties until a consensual proposal is reached; **(3.2)** organizing a professional freedom of association and collective bargaining campaign, as requested by the workers’ group in the CNTRLLS, with a view to promoting those fundamental rights.

4. The Governing Body deferred to its 353rd Session (March 2025) the decision to consider further action in respect of the complaint, based on information to be submitted by the Government on further developments

4.1. Violence and impunity

The Government of Guatemala, aware of the seriousness of the allegations, reaffirms its commitment to protecting human rights and promoting freedom of association. In this regard, the Public Prosecutor’s Office, as the entity responsible for the prosecution of the criminal acts committed, has redoubled its institutional efforts to strengthen the investigation and

prosecution of cases of violence against trade union leaders and members. It is also working to ensure that these cases are resolved as a matter of priority by allocating specific resources to them, including a provisional budget for the Office of the Special Prosecutor for Crimes against Judicial Officials and Trade Unionists amounting to approximately US\$1.7 million, ² and by taking measures including: **(i)** certification of the Office of the Special Prosecutor under International Organization for Standardization (ISO) Standard 9001-2015; **(ii)** maintenance of the integrated case management model, which provides for the initial processing and commencement of an investigation within 24, 48 and 72 hours, in accordance with the guidelines contained in four instructions and two agreements which stipulate, among other things, that investigations must first of all establish whether a crime was committed as a consequence of the victim's trade union activity and any other potential hypotheses formulated from the outset of the investigation, such that the Public Prosecutor's Office can guarantee thorough and expeditious investigations and prevent a climate of impunity from developing. Similarly, dialogue with the main trade unions remains open in order to address the issue comprehensively; however, it should be emphasized that since 27 February 2023, no meetings have been held with these organizations on account of their absence or lack of confirmation. The Public Prosecutor's Office is willing to continue this dialogue and to resume collaboration with the trade union organizations in order to strengthen efforts to shed light on the unlawful acts committed against trade unions.

In official letter SAIC/G 2024-001308/behedq of 27 December 2024, the Public Prosecutor's Office provided information relating to cases involving the killing of trade union leaders and trade unionists, of which five cases relate to **2024**. It also highlighted 82 **cases already closed**, as follows:

- **27 cases giving rise to 40 decisions** (21 convictions, ³ 5 acquittals and 1 with a security and correction measure. During 2024, in one particular case, an additional prison sentence of 125 years was handed down in a case in which five previous sentences had already been handed down;
- **6 cases in which criminal proceedings were extinguished;** ⁴ and
- **49 cases closed under section 327** (with reference to section 327 of the Criminal Code).

Furthermore, the Public Prosecutor's Office indicates that it is redoubling its efforts and has earmarked budgetary resources in order to achieve a swift and timely procedural outcome in:

- **7 cases in which arrest warrants have been issued** (article 257 and 258 of the Code of Criminal Procedure);
- **5 cases at an intermediate stage** (proceedings initiated by the Public Prosecutor's Office), in public hearings, including cases in which decisions handed down are pending special appeals for judicial review, which increases the likelihood of decisions being handed down in cases not yet examined by the courts. In one of these cases, the facts of which occurred in 2024, it remains for the court to establish the date and time for the opening of public

² Projected general budget for 2025 of 12,635,130 Guatemalan quetzals (at 7.70625 quetzals to 1 United States dollar according to the Bank of Guatemala on 31 December 2024).

³ 29 convictions; 5 cases with 10 acquittals, 1 security and correction measure.

⁴ The death of the perpetrator extinguishes the action brought against them (Dictionary of the Spanish Royal Academy, p. 525). The grounds for extinguishing criminal liability are certain circumstances that arise after the offence is committed and that cancel the criminal action or the penalty (Cuello Calón, Eugenio. *Derecho penal* [Criminal law], General part, p. 771).

hearings. These figures reflect the speed with which the Public Prosecutor's Office handles cases.

- **As at 27 December 2024, investigations into 10 cases remain pending;** of these, it was decided that the proceedings in one case that occurred in 2024, being classified as a high-impact case, should be confidential. Recognizing the historical challenges, the Government undertakes to redouble its efforts to guarantee justice, ensure respect for the right to freedom of association and create a safe environment conducive to the full exercise of trade union activities. (<https://drive.google.com/file/d//1vEirAMk7nlbC7hC6TOEHpOJZesLZF3pg/view?usp=sharing>)

4.2. Protection for trade unionists under threat

The Government of Guatemala, through the Ministry of the Interior, has reaffirmed its commitment to protecting trade unionists under threat, in accordance with its international commitments. During 2024, as indicated in its official letter DM-AEDH-0002-2025/FJJI/knez RC/202444985 dated 2 January 2025, 81 security measures were granted to trade union leaders during 2024, 160 investigations were carried out in relation to threats against established trade unionists after the cases were brought to the attention of the Office of the Special Prosecutor for Crimes against Trade Unionists, and five meetings of the trade union technical committee were held.⁵ Revision of the protocol for protective measures for trade unionists was resumed in this bipartite forum (https://drive.google.com/file/d/1FBunYxXHBKZUooJH6MW4T1H_pTeoPiCf/view?usp=sharing) and will continue as soon as the process of updating the protocol on police conduct commences, following the entry into force of Decree 35-2024 entitled "Reforms to the National Civil Police Act". It was agreed that further progress should be made in several areas, including: (i) the discussion of specific cases; (ii) the design of a rapid response mechanism; and (iii) training. It was proposed to discuss the status of the cases of trade unionists killed in 2024 at a new meeting scheduled for 8 January 2025. Furthermore, it was emphasized that the perimeter security measures granted to trade union leaders and trade unionists generated no costs for the persons protected, and recalled that the security and protection of trade union leaders and trade unionists was a priority. The promotion of the 1543 hotline and the new campaign design that accompanied this initiative demonstrate the Government's commitment to creating a robust institutional framework for protection and security. Programmes to strengthen hotline call handling and victim referral procedures are planned for 2025, as is a more sustained awareness campaign on protection of trade union leaders and trade unionists. This approach reflects the Government's commitment to guaranteeing the security of trade unionists, through specific and coordinated actions in accordance with the guidelines set out in the various recommendations issued by the ILO.

4.3. Anti-union dismissals

The Government of Guatemala is currently organizing a meeting between the CNTRLLS and judges of the Chamber of Constitutional Protection and Preliminary Proceedings (who assumed their new office on 13 October 2024), in accordance with the constituents' agenda, in order to address the issue of the current results and the effective functioning of the collegial peace court in criminal matters for cases involving offences of non-compliance with labour decisions, established on 10 February 2023. As indicated by the Labour Management Directorate of the Judiciary in official letter No. 053-2024/DGL/Orza of 4 October 2024, since its

⁵ Bilateral meetings held on 9 July, 4 September, 4 October, 6 December and 13 December 2024 with the Ministry of the Interior, the Strategic Planning and Institutional Development Department, the Protection and Security Division of the National Civil Police and the Office of the Deputy Minister of the Interior for administrative affairs. Representatives of the CNTRLLS participated in one meeting and officials from the Ministry of Labour and Social Security participated in two more.

establishment on 10 February 2023 this court has referred 724 cases to the Chamber, of which 58 are the subject of preliminary proceedings, 320 relate to the public sector, 218 to the private sector and 126 to the municipal sector. (https://drive.google.com/file/d/1Z1cppHGN6cWbRnYEQCjgXr_EKSLWVOR/view?usp=sharing, see point (d), (iv), document GB.346/INS/10)

4.4. Union registration

The Government of Guatemala, through the Ministry of Labour and Social Welfare, has implemented specific actions to strengthen freedom of association and optimize the registration process, including: **(a)** the adoption, by Ministerial Agreement 473-2024 of 6 September 2024, of the Guide to Freedom of Association: the Guide was adopted by tripartite consensus, without objection, on 20 August 2024. This tool, developed on the basis of CEACR comments on Convention No. 87 (2017), supports the rapid, transparent and efficient registration of trade unions on the Public Trade Union Register; **(b)** the dissemination of the Guide: 468 print copies were ordered for distribution among trade union organizations. The Guide is available in digital format (CD) and is also published on the Ministry of Labour's web page in order to facilitate processes; **(c)** management of trade union registration (January–November 2024): 58 applications were received; 41 registrations were approved;⁶ 4 applications gave rise to preconditions (established in accordance with the national legislation, refusals being contrary to the law); 32 were refused; and 3 were shelved. By these actions, the Government reaffirms its commitment to promoting freedom of association and strengthening legality in the registration of trade union organizations (information provided by the General Directorate for Labour in official letter 4527-2024 of 12 December 2024).

4.5. Promotion of collective bargaining

As a tangible measure to promote collective bargaining effectively at all levels, on 15 July 2024 the Government presented a proposal to the social partners in the CNTRLLS for a regulation on the approval of collective agreements on working conditions, with a view to ensuring that collective bargaining is based on a clear and balanced normative framework. In this regard, as indicated in paragraph 2 of this report, it thanks the Office for the development of the "Study on collective bargaining in the public sector of Guatemala with particular focus on the approval of collective agreements by the public authorities, identification of the main challenges and possible solutions in the light of ILO standards and Latin American comparative law", which was launched on 28 October 2024 and will be shared with the social partners. In addition, the Government will implement a training programme on collective bargaining, for workers and employers, in order to address the issue and the principle of legality in collective bargaining, prior to the tripartite consultation process within the CNTRLLS.

4.6. Legislative issues

The Government of Guatemala reiterates its commitment to strengthening tripartite dialogue and promoting legislative reforms in the sphere of labour. In this regard, the following should be noted: **(a)** progress at Ordinary Meeting No. 13-2024: on 12 December 2024, the CNTRLLS discussed, at the request of the Government, Bills 5508 and 6162, which aim to elevate the instrument establishing the CNTRLLS to a legislative decree and to address previous CEACR observations relating to Convention No. 87; **(b)** follow-up to legislative topics: it was agreed to hold an expanded meeting of the CNTRLLS on 23 January 2025 to review the current status of both bills and identify specific actions to promote them in the Congress of the Republic (as indicated above); **(c)** transparency and support for dialogue: the Government sent the

⁶ Comment from the General Directorate for Labour: This figure covers the period 2022–24.

constituents of the CNTRLLS the history of requests submitted to the Parliamentary Labour Commission concerning both bills, on two occasions. This document could serve as a technical basis for future dialogues. By these actions, the Government reaffirms its interest in giving effect to international recommendations and making progress on strengthening the institutional and legislative framework, promoting a working environment in line with international standards.

(Background to Bill 5508: <https://drive.google.com/file/d/17PNWDG6QdMngsK4LrXsQYDD4QHnGzZg/view?usp=sharing>; Background to Bill 6162: https://drive.google.com/file/d/1j-AMolrRGoFyYjmANb7_x-FXLoxnrToE/view?usp=sharing).

5. The Governing Body deferred to its 352nd Session (October–November 2024) the decision to consider further action in respect of the article 26 complaint, in the light of the follow-up given to paragraphs (a) to (d) above

The Government of Guatemala undertakes to continue to redouble its efforts in order to achieve the full application of ILO Conventions Nos 87 and 98. It respectfully asks that the international community be encouraged again to continue to support its efforts with tripartite actors to fulfil its international commitments under these Conventions, and that the Office continue to promote the technical assistance programme that the Governing Body asked it to implement in 2018. This programme is essential to ensure the sustainability of the current social dialogue process and to make progress with the effective implementation of the road map. It is important to highlight the valuable support provided by the European Union through its contribution to the programme “Strengthening the CNTRLLS in Guatemala for the effective application of international labour standards”, under which various issues related to the road map are being addressed. It should be noted that the present report will be shared electronically with the worker and employer constituents of the CNTRLLS. In view of the above, the Government of Guatemala, firmly convinced that the remaining areas of the road map and the concerns contained in the complaint lodged against the Government in June 2023 can be resolved through mature and continuous tripartite social dialogue, and determined to take account of the observations made by the Committee of Experts on Conventions Nos 87 and 98 concerning freedom of association and collective bargaining, respectfully requests the Governing Body to urge the international community to allocate funds to the aforementioned programme (document GB.340/INS/PV, paragraph 114 and document GB.352/INS/13(Rev.1)) so as to ensure the successful continuation of these initiatives and address the legitimate concerns of workers and employers. Together we can build a better workplace and achieve social justice.

(Signed) Miriam Catarina Roquel
Minister of Labour and Social Affairs