

# Slaying Shines Light on Labor Battle Abroad

*A Teamster's death in El Salvador, known for anti-union violence, spurs calls for probes.*

By Nancy Cleeland and Alexander Renderos, Special to the Times

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USULUTAN, El Salvador — Teamsters organizer Jose Gilberto Soto liked to call himself "the voice of the voiceless."

In early November, while standing outside his childhood home here, Soto was silenced — shot in the back by unknown assailants. He died moments later in his sister's arms.

The 49-year-old New Jersey resident had planned to meet the next day with truck drivers from El Salvador, Honduras and Nicaragua — part of an ambitious, multi-union effort to organize every step of the global shipping system.

Now his story is likely to be the centerpiece of organized labor's pitch for stronger worker protections in the five countries covered by the Central American Free Trade Agreement. The pact is up for ratification by Congress.

But the argument may be complicated by questions still swirling around the murder.

No evidence has surfaced yet of a link to any of the dozens of trucking or shipping firms that might have felt threatened by Soto's union work. In fact, national police are working under a very different premise: that Soto's Salvadoran mother-in-law, now under arrest, arranged the hit in order to collect Teamsters insurance money. They claim to have witnesses.

"What we have seen is that these are family problems," national police chief Roberto Menesses said in early December, shortly after a delegation of U.S. union officials visited the country to press for answers.

Moments later, Rosa Elba Zelaya, 59, tearfully denied taking out a contract on her daughter's husband.

"I want you to put me in front of those witnesses," she told reporters, pleading for help. "I want to see who they are."

Soto's immediate family members and union colleagues have been openly skeptical of the police case, and are pushing for a public airing of the secretive investigation.

"El Salvador has a very dark history of killing people who want to teach other people how to defend themselves," said Soto's brother, Francisco, from his home in North Carolina. "That is what they were doing in the '80s — killing union organizers and teachers. So we are suspicious."

Those doubts were bolstered by El Salvador's top human rights official, Beatrice Alamanni de

Carrillo, who issued a scathing 10-point critique of the investigation after viewing police files. Among the "serious violations and irregularities" she cited: The case was built entirely on statements from unnamed witnesses; at least one of the suspects was tortured, she said; and police never explored the possibility of a politically motivated murder.

As questions about the handling of the case has grown, so has pressure from the United States.

Rep. Linda T. Sanchez (D-Lakewood) called on Secretary of State Colin L. Powell to intervene in late December. "The murder of any U.S. citizen under suspicious circumstances is a matter of grave concern to me," she wrote. "But the history of repression against labor union activities in El Salvador make it all the more imperative that this case be thoroughly investigated."

Two days later, the International Brotherhood of Teamsters announced that it had asked a Jesuit human rights center in El Salvador to conduct its own probe.

"The Teamsters and the AFL-CIO have lost all confidence in the state investigation of Gilberto Soto's murder," the union said in a statement.

But with the trail of evidence growing cold, those who were close to Soto are beginning to wonder whether they'll ever know why he was killed.

Despite that ambiguity, Soto's work and brutal death exemplify two larger trends: U.S. unions are increasingly forming global alliances to match broader changes in the economy, and those alliances are bringing them face to face with the reality of violent union repression in some parts of the world.

About 100 union activists are murdered every year for their work, mostly in Latin America, according to the Geneva-based International Confederation of Free Trade Unions. Hundreds more receive credible death threats, the group said.

"This is precisely why we have been so adamant about linking labor rights and human rights to international trade agreements," said Barbara Shailor, international affairs director of the AFL-CIO. "The harassment of trade union leaders is a most serious concern."

That battle has been hard-fought. After years of lobbying, worker advocates, including the AFL-CIO, got a provision written into a U.S. trade pact with Jordan requiring both nations to follow core international labor standards. Among them: the right to form a union.

The coalition failed, however, to get a similar requirement written into the Central American agreement, which has led to strong Democratic opposition to the accord.

For their part, Republicans have resisted putting labor protections into trade agreements on grounds that such treaties should not be used to promote unionization. In Central America, meanwhile, the resistance is more pragmatic: In much of the region, control of finances, trade and politics are held by relatively small family cliques.

"They really don't want a redistribution of power," said Sandra Polaski, a former U.S. trade official who now directs the Trade, Equity and Development Project at the Carnegie Endowment for International Peace in Washington.

Of the Central American nations in the trade pact, El Salvador has perhaps the most feared reputation for anti-union violence — and deservedly so. More than 5,000 labor activists were assassinated by death squads in that country of about 6.5 million people during the civil war of the 1980s, said Mark Anner, a Cornell University lecturer who once advised unions in El Salvador.

Anner saw the carnage firsthand. "In 1989, paramilitary forces bombed the union office I worked for and killed 10 people," he said. "I ended up with 104 stitches in the top of my head."

The violence subsided after the government and guerrillas signed a peace accord in 1992 to end a civil war that lasted more than a decade, but other forms of intimidation continued unabated. Today about 5% of Salvadoran workers belong to unions, and many respond to questions about organizing with fear.

The U.S. State Department consistently criticizes El Salvador's record on labor rights in annual reports.

"Over and over again, we hear very credible reports of people not being allowed to form a union," said an embassy official in San Salvador, who spoke only as an unnamed source. "Sometimes there are firings. It's a very serious concern."

But violence is another matter. And that's what makes the Soto case so hard to figure. "There hasn't been a politically motivated killing here in eight years," the embassy official said. "To us, it's out of context with the El Salvador of 2004."

If Soto was worried about his trip to El Salvador, he didn't show it. He had spent the month before the visit eagerly calling old contacts in labor and human rights circles, setting up meetings and openly saying what he was up to.

"I was with him the night before he left ... and I'd never seen him happier," said Ron Carver, assistant director of the port division for the Teamsters and a friend of Soto. "He saw this as a chance to bring together 20 years of life experience."

Soto had left El Salvador 30 years earlier, a restless 19-year-old with nothing but ambition. He took menial jobs in New Jersey, earned a college degree and worked his way up through the Teamsters from shop steward to local president. He also found time to start a soccer team and launch a program that sends computers to Salvadoran schools.

That determination was what made Soto great at his job in a next-to-hopeless Teamsters campaign, organizing truck drivers at U.S. cargo ports.

Soto worked out of Newark, where most drivers are from Central America. There was an

immediate affinity, said Carver, who coordinates the campaign and hired Soto. "He loved it, and he had tremendous loyalty of the drivers," Carver recalled. "He spent more time in the port than any of my other guys."

Port drivers are among the lowest-paid and most insecure of workers along the global shipping chain, both in the United States and internationally.

Typically classified as independent contractors, the drivers compete fiercely for work, lining up for hours at port gates to pick up containers. Turnover is high, but there are always new recruits willing to buy a rig and take a chance.

For years, unions have tried and failed to organize the U.S. drivers. The Teamsters campaign has been the most ambitious and well-funded to date, but after nearly five years, it has not created a single new union member.

The problem is structural: Without a common employer, the drivers can't organize a union. And no trucking company has been willing to act as an employer, paying negotiated wages and benefits, because they would still have to compete for work with cut-rate independents.

After years of frustration, the Teamsters tried a different approach. They decided to focus all their attention on one global shipping and trucking giant: Copenhagen-based **A.P. Moller-Maersk**. If they could pressure Maersk to use only union drivers, then they would have a foothold in ports around the world.

In November 2003, Carver traveled to Copenhagen to meet with other unions also running Maersk campaigns. The summit drew longshoremen, oil-rig workers and truck drivers from disparate ports, including those in Honduras, Nicaragua and El Salvador.

The Central American drivers were in different stages of organizing: Nicaragua and Honduras had strong campaigns, aided by a Danish union. But the Salvadoran drivers told Carver that their effort to unionize had been crushed three years earlier, after they staged a one-day national strike that blocked major roadways.

Carver put them in touch with Soto, his top organizer. Soto told them to hang on. He said he could help.

But the wavy-haired idealist, who spent his first week in El Salvador visiting old friends and family members, never made it to the Acajutla, the country's main port.

There, truck drivers sleep under their rigs and wait as long as two weeks for a single container haul that pays \$130. "At the end of the day, all we have left is enough to survive," said Carlos Rodriguez, who has carried freight from Acajutla to the capital of San Salvador for the last eight years.

Maersk spokesman Chuck O'Connor acknowledged that port drivers in the U.S. and Central America are poorly paid but said market forces, along with deregulation of the U.S. trucking

industry, were to blame.

He said Maersk, through its trucking companies, had raised rates for drivers in an attempt to build a loyal workforce, but did not plan to take them on as employees. He said the company can go only so far before being undercut by competitors.

"There is a natural sympathy for these people, and good companies try to do something about it," O'Connor said. "But you have to be in the market."

No one has alleged that Maersk or any of its subsidiaries was responsible for Soto's death.

What is more likely, his family and union colleagues suggested, is that his talk of big plans threatened some local interest at the port, perhaps one of the many small trucking outfits run by former members of the Salvadoran military.

O'Connor said the murder reflects the region's overall high level of violence and economic decay. A week before Soto's killing, a Maersk employee was shot dead in Panama. That crime also remains unresolved.

"Life can be cheap," he said. "It's a different world than we know down there."

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*Times contributor Renderos reported from El Salvador, and Times staff writer Cleeland reported from Los Angeles.*