

Summary of Intimidation and Violence Against Jose Armando Palacios

prepared by USLEAP, February 2006

Intimidation and violence against Mr. Palacios began in January 2004 when he sought to organize the security guards at the INCASA plant in Guatemala, as told by Mr. Palacios to USLEAP.

- o In January 2004, Palacios and two other guards join the SITINCA union. The same day, he received a death threat from INCASA Personnel Manager Eduardo García, who also ordered all six in-house guards to be stripped of their weapons. Palacios filed a complaint with the Labor Ministry and called for a labor inspection, which happened on Feb. 2, 2004 and again on Feb. 10, 2004. Labor inspector ordered management to provide weapons to the guards, giving it five business days to comply. Company did not comply.
- o On June 18, 2004, at 1:30 a.m., two unidentified men fired several shots at José Armando Palacios from the plant's parking lot just as he was beginning his shift. Management denied that the incident took place, but the union later received a copy of an internal VISEGUA memo addressed to Personnel Manager García confirming the incident.
- o Over the next 10 months, Palacios received occasional threats and intimidation over the next 10 months, but did not report them, since INCASA employees had been ordered not to speak to the police by Personnel Manager García.
- o On April 16, 2005, while Mr. Palacios was out of the house, two unidentified men forced their way into his home, grabbed his 18-year-old son and, with weapons pointed at him and Mr. Palacios's wife, demanded to know where Mr. Palacios was. They yelled that they were there to kill him for being a trade unionist. They then tied up the son and warned the family not to speak to the police or they would also be killed. Nevertheless, Palacios and his family did call the police and filed reports with the Special Prosecutor's Office for Crimes against Journalists and Trade Unionists on April 19, 2005.
- o On May 6, 2005, the company fired Palacios without cause.
- o Over the next few months, Mr. Palacios continued to face intimidation, as strangers showed up at his house several times, "urging" him to accept severance and give up his fight for reinstatement, or face the "consequences."
- o On October 30, 2005, while Palacios and his family were away visiting relatives in the countryside, an armed man showed up at his house, stuck a gun through the window, and threatened the woman who was house-sitting for them, and told her that he would be back to look for Palacios, and that if he couldn't find him, he would look for his wife or his children. These acts of intimidation finally forced him and his family to leave Guatemala City and to move to temporary refuge at a relative's house in eastern Guatemala.
- o On January 28, 2006, Palacios witnessed the murder of a man outside of his house in what appears to be a case of mistaken identity, prompting Palacios to drop his long-standing demand for reinstatement and instead leave the country.