

Rights Action – December 7, 2011

GUATEMALAN SHOOTING VICTIM ANNOUNCES THIRD HUMAN RIGHTS LAWSUIT AGAINST HUSBAY MINERALS

CONTACT:

Cory Wanless, Klippensteins Barristers & Solicitors, 1-416-598-0288,
cory.wanless@klippensteins.ca

Grahame Russell, Rights Action, 1-860-751-4285, info@rightsaction.org

Shooting Victim Announces Third Human Rights Lawsuit against HudBay Minerals

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"I'll never forget watching the chief of security aim his gun straight at me, feeling the bullet hit, lying on the ground coughing up blood. I was terrified. I thought I was going to die," said German Chub, survivor of a brutal shooting at a Canadian mine in Guatemala. "I'm in a wheelchair because of a Canadian mining company. They ruined my life".

Canadian lawyers for Mr. German Chub Choc announced today an Ontario lawsuit against Canadian mining company HudBay Minerals over a brutal shooting in Guatemala two years ago that left Mr. Chub a paraplegic. This is the third human rights lawsuit launched in Ontario against HudBay related to violence at its formerly-owned Fenix Mining Project in eastern Guatemala.

The lawsuit alleges that on September 27, 2009, Mr. Chub, a young father, was shot with a handgun at close range near El Estor, Guatemala in an unprovoked attack by Mynor Padilla, the chief of security for HudBay's Fenix mining project. Mr. Chub was paralyzed by the shooting and has lost the use of his right lung. The bullet that paralyzed him remains lodged in his chest.

The lawsuit alleges that HudBay's negligent management of security personnel at the project, including grossly lax oversight both in Canada and in Guatemala, caused this brutal and arbitrary shooting. In essence, the lawsuit alleges that HudBay turned violent gunmen loose on community members who opposed HudBay's mining practices in their communities.

Sadly, rural Guatemala is rife with extreme levels of lawless violence. Human Rights Watch noted earlier this year that 99.75% of this violent crime goes unpunished in Guatemala. HudBay knew it was operating in a very violent country, but instead of hiring or training security staff with acceptable standards and supervision, HudBay's Guatemalan subsidiary hired local security personnel with a track record of violence,

supplied them with guns and deployed them without the controls or supervision we demand and take for granted in Canada.

Sometimes these violent tactics are used to suppress opposition to the mine. HudBay has previously been sued in Ontario over the killing of community leader Adolfo Ich Cháman and over the gang-rapes of eleven indigenous women from communities the mining company was forcing off of land that it wanted. These cases are currently before the courts.

The claim represents assertions that have not yet been proven in court. The defendants will have the opportunity to respond in these proceedings.

For more information on all cases, see www.chocversushudbay.com

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