

## **IN GERMAN'S STORE, DISCUSSING LONG-TERM HEALTH AND WHEELCHAIRS, ...**

### **and justice for victims of repression caused by mining companies**

By Grahame Russell, [info@rightsaction.org](mailto:info@rightsaction.org), January 19, 2012



(German Chub Choc, January 5, 2012, El Estor, Guatemala. Photos: Rights Action)

2012 will be a tough year in Guatemala in terms of work and struggle for justice for both the war crimes and genocide of the past and on-going human rights violations. On January 15, former general Otto Perez Molina was sworn in as president. Rather than demonstrating democracy at work, his swearing-in is proof of on-going impunity at the most powerful levels of society, and of a fundamental and on-going lack of democracy.

Perez Molina should be in jail, guilty of being both an intellectual and material author of war crimes, genocide and other human rights violations committed during the worst years of Guatemala's State repression against its own population, repression that was backed by the United States and the west, done in the name of "fighting communism".

#### **BUSINESS AS USUAL**

The so-called "international community" has said nothing about Perez Molina's war crimes and genocide allegations, sending diplomatic representatives to the inauguration. Supported by the governments of the USA and Canada, a host of North American businesses and investors have considerable business and investment interests to promote and attend to in Guatemala, and won't let war crimes and on-going human rights violations and impunity deter "business as usual".

#### **GERMAN'S STORE**

On Friday, January 5th, I sat in German's store in the small town of El Estor, department of Izabal in eastern Guatemala, along with his family, local human rights leaders, and a lawyer from the Canadian law firm Klippenstein's Barristers and Solicitors.

Here, in the shadow of the nickel mining operation of CGN (Guatemala Nickel Company), until recently owned and operated by HudBay Minerals, we spoke of how sales were going at German's new (tiny) store that was inaugurated December 22, 2011, about his long-term health needs, and of the three civil cases brought in Canadian courts against HudBay Minerals.



Wheel-chair bound German Chub Choc sits in his new grocery store in a room off the front of his brother's home. German was shot and left paralyzed from the chest down on September 28, 2009, by HudBay Minerals/CGN private security forces; German also lost the use of his left lung. With funds from North American donors, and support from his family and local community, German was able to build, stock and open this store, enabling him to hopefully make a living, pay for his now permanent on-going health needs, and care for his son and parents.

### **A LONG HISTORY OF MINING, REPRESSION AND IMPUNITY**

Since the 1960s, when Canada's INCO (International Nickel Company) first acquired (illegally, according to the local communities and to human rights experts) a mining concession in the El Estor region, Mayan Qeqchi communities have suffered recurring waves of illegal forced evictions, killings and other repression and human rights violations.

Given the historic and deeply entrenched impunity in Guatemala, achieving justice in Guatemalan courts is effectively impossible. However, German, Angelica and Maria Choc (wife and sister-in-law of Adolfo Ich, a murdered community leader), and 11 Mayan Qeqchi women of the village of Lote 8 (victims of gang-rapes) are working with Canadian lawyers to have some measure of justice done in Canada where HudBay is headquartered and where the major corporate business decisions were taken.

While the situations of democracy and rule of law differ significantly between Canada and Guatemala, in many ways impunity is also the norm in Canada when it comes to holding large resource extraction companies legally accountable for rights violations, environmental harms and crimes they cause in other countries.

### **NO FALSE HOPES OR EXPECTATIONS**

From day one of the discussions with Angelica and Maria, German, and the women of Lote 8, and continuing on January 5th in German's store, all of our discussions have centred on just how difficult these civil trials will be, in the best case scenario, in Canada, and that we need to proceed step by step with no false expectations. While our friends have not read any John Grisham novels, they are more than aware of the enormity of the legal and political challenge they face, trying to get justice against a global mining company; none of us are under any illusions.



Cory Wanless, of Klippensteins, stands with German and Maria Cuc Choc, by the wall that separates the La Union community and what was then HudBay Minerals company property. This is the very spot where German was shot and left for dead. Maria – sister-in-law of Adolfo Ich who was shot and killed about 50 meters from this spot just two hours after German was shot - is one of the community leaders working in defense of human rights and territory throughout the mining affected communities of El Estor. Maria has played the key role in supporting and empowering the group of 11 Mayan Qeqchi women who were gang raped by mining company security guards, soldiers and police in the community of Lote 8, on January 17, 2007, as part of an illegal forced eviction carried out by then Skye Resources (soon after purchased by HudBay Minerals).



In the remote community of Lote 8, high in the mountains above the town of El Estor, some of the gang-raped women plaintiffs look at a copy of the Corporate Knights magazine (distributed across Canada in the Globe and Mail) that published an article

about these three civil suits: <http://www.corporateknights.ca/article/going-deeper-underground?page=show>



Grahame Russell sits with Angelica Choc, wife of Adolfo Ich who was shot and killed on September 28, 2009, by the head of HudBay Minerals/ CGN's private security forces. Along with German and the 11 women from Lote 8, Angelica is a plaintiff in one of the 3 cases in Canada.

For information about all three lawsuits: <http://www.chocversushudbay.com/>

### **THIS IS HOW THE UNJUST GLOBAL ECONOMIC ORDER WORKS**

As we sat in German's little store, Maria was constantly on her cell phone, speaking with Mayan Qeqchi villagers some 30 minutes up the road, in the Polochic Valley, who were once again being violently and illegally evicted from their home communities and lands, at the behest of wealthy Guatemalan land-owners who want to produce African Palm trees and sugar cane for the "emerging" markets for bio-fuels. We arranged to have emergency funds taken by Maria and Raul (another member of the local committee) to provide emergency food, shelter, water and housing to the eviction victims.

It is hard to overstate the courage and dignity of the Mayan Qeqchi peoples of El Estor and the Polochic Valley, multi-generational victims of repression in the interests of the global economic order: if it is not mining, it is bananas, African Palm, coffee, cattle, hydro-electric dams, oil, pineapples, tourism, etc.

It is hard to overstate how difficult it is to fight for justice and accountability. And that is exactly what German, Angelica, Maria and the women of Lote 8 are struggling for. It is an honor to support and participate in this work ... and it will take a long time. Much more public attention and support are needed, for German, Angelica, Maria and the women of Lote 8, and for their lawyers.

(Grahame Russell is co-director of Rights Action)

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## **TO MAKE TAX-DEDUCTIBLE DONATIONS**

for the health and store needs of German Chub Choc, and for the struggle for justice and human rights in El Estor, make check payable to "Rights Action" and mail to:

UNITED STATES: Box 50887, Washington DC, 20091-0887

CANADA: 552 - 351 Queen St. E, Toronto ON, M5A-1T8

CREDIT-CARD DONATIONS: <http://rightsaction.org/contributions.htm>

DONATIONS OF STOCK: [info@rightsaction.org](mailto:info@rightsaction.org)

## **TO SUPPORT THE EFFORTS OF KLIPPENSTEINS LAWYERS**

Murray Klippenstein and Cory Wanless, 1-416-598-0288,  
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## **COMMENTS, QUESTIONS:**

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