

Rights Action
info@rightsaction.org
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Former Hudbay Minerals Head of Security On Trial in Guatemala for Mining Related Murder

As precedent-setting lawsuits continue in Canada, against Hudbay Minerals and CGN (Hudbay's former subsidiary in Guatemala, Guatemala Nickel Company), Hudbay/CGN's former security chief, Mynor Padilla, faces murder and shooting-wounding charges in April in Guatemala.

- More Information/ What To Do: see below

February 28, 2014

Call for Solidarity as Criminal Trial Against Mynor Padilla, Former Head of Security for Hudbay Minerals/CGN, Begins in April

(From the Under-Mining blog-site:

<http://rachelblumesmall.wordpress.com/2014/02/28/communique-call-for-solidarity-as-criminal-trial-against-mynor-padilla-former-head-of-security-for-hudbay-minerals-cgn-begins-in-april/>

On April 4, 2014, the criminal trial of Mynor Padilla will begin in Puerto Barrios, Guatemala. Padilla is charged with the murder of Aldofo Ich Chamán, and the wounding of at least ten others on September 27, 2009 near El Estor, Izabal. The victims of these violent crimes and their families are calling upon allies to join them in solidarity in Puerto Barrios as the trial begins.

Witnesses allege that Mynor Padilla, the head of security at the time for Hudbay Minerals/Compañía Guatemalteca de Niquel (CGN), opened fire on a group of villagers in El Estor who opposed forced evictions and other human rights violations in relation to Hudbay/CGN's Fenix mining project.

At the time that these violent incidents took place, CGN was the wholly-owned Guatemalan subsidiary of HudBay Minerals, a Canadian mining company. HudBay and CGN are also currently facing civil lawsuits in Canadian courts for their role in the killing of Adolfo Ich, the shooting-paralyzing of German Chub and the gang-rapes of 11 women from the nearby community of Lote 8 during a forced eviction.

On September 27, 2009, a series of community protests took place in response to fears that further illegal evictions of Q'eqchi' communities in the El Estor region would be carried out by HudBay Minerals/CGN.

Mine company security personnel reacted to the protests with violence. Individuals who were wounded in the attack include: Haroldo Cucul, Santos Caal Beb, and German

Chub Choc, from barrio La Union; Alejandro Acte, Ricardo Acte, and Samuel Coc, from the community of Las Nubes; and Alfredo Tzi and Luciano Ical, from barrio El Chupon.

Adolfo Ich, a widely known and respected local teacher, community leader, and father of four was specifically targeted and killed. Witnesses state that armed security used their shotguns to push him away from the gathered crowd before a security guard hacked him with a machete and Mynor Padilla shot him in the head.

On the same day, German Chub, a young local man and father of one, was watching a soccer game near the fence that separates the community of La Union from mining company buildings, when security personnel arrived. German alleges that he was shot by Mynor Padilla in another unprovoked attack.

German lives with a number of grave medical conditions as a result of this incident. "I have suffered devastating and permanent injuries because of the shooting. The bullet badly damaged my spinal cord, so I am now a paraplegic. The bullet also punctured and collapsed my left lung. My left lung no longer works."

In the four and a half years since these events, victims, witnesses, and family members have struggled through a long and frustrating series of legal processes in order to have justice served for these violence crimes.

Despite an order issued for Padilla's arrest shortly after events in September 2009, he remained at large. Company officials confirmed that he continued to be on paid leave from his work as head of security and remained on the Hudbay/CGN payroll for at least the following year.

In response to the perceived unwillingness of the Public Prosecutor's office to enact the arrest warrant, community members went before the Human Rights Section of the Public Prosecutor's Office in December 2010 to demand that the Ministry of the Interior take immediate action. They likewise demanded that investigations be conducted impartially, in response to concerns that the CGN was corrupting community leaders and proposing witnesses who were not present at the moment of Adolfo Ich's murder.

Padilla was arrested on September 25, 2012, after having remained a fugitive from justice for almost three years. The trial is scheduled to begin on April 4, 2014, eighteen months after the arrest.

Angelica Choc, the widow of Adolfo Ich, speaking of her thoughts leading up to the trial, said, "I only hope that everything will go well on the 4th of April. That the laws are followed, that the authorities conduct their work appropriately and without being manipulated."

Throughout this process, supporters both in Guatemala and internationally have expressed solidarity and concern for the safety of the family of Adolfo Ich, while denouncing his murder as a targeted act of violence against a respected Maya Q'eqchi' community leader and an open critic of human rights violations and environmental damage caused by corporate mining activities. They have also stood in solidarity alongside the other victims of violence carried out by CGN, the Maya

Q'eqchi' community of El Estor, and all human rights defenders who defend their land, land rights, and the rights of Indigenous Peoples.

When the trial opens in April, those who will be serving as witnesses, as well as the families of victims – all of whom have faced significant risk throughout this process – call upon allies to join them at the courtroom to demonstrate their solidarity.

Angelica Choc makes the request clear: “Let all of us who are fighting in defense of our territories unite to demand that justice be served.”

Those unable to attend the trial in person should stay tuned for information on opportunities to stand in solidarity from afar.

[Communiqué prepared by Rachel Small and Joanne Jefferson.]

More Information

- About Criminal Trial in Guatemala: Grahame Russell, info@rightsaction.org
- About Lawsuits Against Hudbay in Canada: www.chocversushudbay.com

“Defensora”

This 2013 award winning film documents the lives and vision of the Mayan Qeqchi people and their efforts to seek justice in Canadian courts against Hudbay Minerals. View trailer / organize a screening / more information: www.defensorathefilm.com

Join an Educational Delegation to Guatemala

- **May 31-June 8, 2014:** “Mining Injustice ~versus~ Community well-being and the Environment”, in the context of on-going struggles for truth, memory and justice for the genocides and repression of the past. Hosted by Rights Action and SMAK (Sustainable Mining Alliance of the Kootenays). Contact: info@rightsaction.org
- **July 3-10, 2014:** “Mayan Communities & Environmental Well-Being ~ versus ~ Large-Scale Mining And Hydroelectric Dam Projects, In An Unjust Global Economic Order”, in the context of on-going struggles for truth, memory and justice for the genocides and repression of the past. Hosted by Rights Action and Mayflower United Church of Christ (Minneapolis). Contact: info@rightsaction.org

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