

Rights Action
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Murder Trial Against Hudbay Minerals' Former Head of Security Continues



(Mynor Padilla, former Colonel in the Guatemala Army, former head of security for Hudbay Minerals/CGN.)

Below, a press release from the April 8th, 2015, opening of this murder trial.

On the 8th, Angelica Choc gave her testimony. Angelica is the wife of Adolfo Ich who was assassinated on September 27, 2009, by Mynor Padilla, a former Colonel in the Guatemalan army and the former head of security for Hudbay Minerals / CGN (Guatemalan Nickel Company), and guards under the command of Padilla.

On Tuesday, April 14, villagers from the Mayan Q'eqchi' community of Las Nubes will testify. At least 7 men from Las Nubes were shot and wounded the same day that Adolfo Ich was killed. At a later date, German Chub – shot point-blank by Mynor Padilla, and left paralyzed – will also testify.



(German Chub, shot by Hudbay/CGN's head of security, and an x-ray of bullet lodged by his spine.)

As precedent-setting civil lawsuits continue in Canada against Hudbay Minerals and CGN (Hudbay's former subsidiary in Guatemala), the criminal trial against Hudbay/CGN's former security chief, Mynor Padilla, for a murder and shooting-woundings at Hudbay's then mine site in Guatemala, is also trying to set a precedent.

Guatemala has the highest levels of impunity in the Americas. It is a remarkable achievement that Hudbay Mineral's former head of security was even detained, let alone that the trial was even able to start [5 years later!].

April 8th Press Release

(Excerpted / Updated from a 2014 communiqué by Rachel Small and Joanne Jefferson)

Mynor Padilla is charged with the murder of Adolfo Ich Chamán, the wounding of at least ten others on September 27, 2009, in El Estor, Izabal, including the point-blank shooting of German Chub that left him in a wheelchair, paralyzed from the chest down – including the loss of use of one lung. The bullet remains lodged precariously close to his spine.



(Angelica Choc, widow of murdered Adolfo Ich, with photo of Adolfo. @ Rachel Schmidt)

The victims of these mining-related crimes invite friends and allies to join them in Puerto Barrios, as the trial begins.

Witnesses report that Mynor Padilla, head of security for Hudbay/CGN, and armed men under his control opened fire on villagers in El Estor who opposed forced evictions and other human rights violations in relation to Hudbay/CGN's nickel mining project.

Hudbay owned and tried to operate this mine from 2008-2011. At the time these crimes took place, CGN was the wholly-owned Guatemalan subsidiary of Hudbay. Hudbay and CGN are also currently facing three precedent-setting 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 2007 forced eviction. The mine operation was then owned by Skye Resources, purchased by Hudbay in 2008. Hudbay remains responsible for Skye's liabilities. The victims-plaintiffs are represented in Canadian courts by Klippensteins Barristors and Solicitors.

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

Padilla was finally arrested on September 25, 2012, after having remained a fugitive from justice for almost three years.

What To Do

- If you are in Guatemala, please consider attending the trial in Puerto Barrios on April 14, 2015.
- Hudbay Minerals Annual Shareholder Meeting / Precedent Setting Lawsuits in Canadian Courts. Rights Action is planning – with MISN (Mining Injustice Solidarity Network) and other groups - to bring three of the victims-plaintiffs to Toronto in late May 2015, to meet with the Klippensteins lawyers on the lawsuits in Canada, to do media work, and to participate in education activities related to the Annual Shareholder Meeting of Hudbay Minerals to be held May 22, 2015.

Tax-Deductible Donations (Canada & U.S.)

Rights Action has sent funds again to the victims and their supporters, so they can attend the trial and do everything they can to break the wall of impunity that Hudbay/CGN enjoyed and enjoy in Guatemala, and see that a measure (however so small) of justice is done. To support the struggle of the Mayan Qeqchi people to defend their lands, environment and community well-being, and to fight for justice in Canadian and Guatemala courts against Hudbay/CGN for repression and harms suffered, make check payable to "Rights Action" and mail to:

- United States: Box 50887, Washington DC, 20091-0887
- Canada: (Box 552) 351 Queen St. E, Toronto ON, M5A-1T8
- Credit-Card Donations (Canada & U.S.): <http://www.rightsaction.org/tax-deductible-donations>
- to donate stock, contact: info@rightsaction.org

“Defensora”

In your community, screen this award winning film by Rachel Schmidt that documents the lives and vision of the Mayan Qeqchi people and their efforts to seek justice in Canadian courts against Hudbay Minerals and CGN. Trailer/Information: www.defensorathefilm.com

More Information About

- Trip to Toronto: Grahame Russell, info@rightsaction.org
- Education and activism work related to Hudbay AGM: Rachel Small, Mining Injustice Solidarity Network, rachelblumesmall@gmail.com, <http://www.solidarityresponse.net/>
- Lawsuits: Klippensteins Barristers and Solicitors, www.chocversushudbay.com

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