

Rights Action  
April 22, 2015  
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## **Hudbay Minerals' Former Head of Security Defended by Lawyer of ex-General Efraín Ríos Montt (Found Guilty of Genocide)**

A team of well-connected lawyers is providing legal representation for Mynor Padilla, a former Colonel in the Guatemalan Army and head of security for Hudbay Minerals (and its then Guatemalan subsidiary company CGN), who is facing criminal charges for the murder of Adolfo Ich, the shooting-paralyzing of German Chub, and the shooting-wounding of 7 other Mayan Q'eqchi' men from the Las Nubes community, all on September 27, 2009, in and around Hudbay's then-owned "Fenix" nickel mining operation.



Mynor Padilla, standing center, in court in Puerto Barrios, April 14, 2015. Seated to his left are lawyers Francisco José Palomo Tejeda, Carlos Rafael Pellecer Lopez and Frank Manuel Trujillo Aldana.



In 2012, Francisco José Palomo Tejada is seen representing former General Efraín Ríos Montt – back to the camera – during the now famous “Genocide trial”. In 2013, Ríos Montt was found guilty of genocide for a campaign of U.S.-backed repression he led in the early 1980s.

### **Who Is Paying?**

Who is paying for Padilla’s lawyers? The Solway Group, owners of CGN (the Guatemalan Nickel Company)? Or is Hudbay Minerals paying these criminal trial legal costs, though they sold CGN to the Solway Group in 2011?

When Hudbay sold CGN to Solway Group (for over \$250,000,000 less than what Hudbay paid for it in 2008), Hudbay assumed all costs related to the precedent-setting civil lawsuits in Canada brought against Hudbay and CGN. Did Hudbay make the same assurances with respect to the criminal case against Padilla in Guatemala?

### **The Lawyers**

According to Luis Solano, a Guatemalan investigator, Padilla’s lawyers are high-powered and well-connected.

Francisco José Palomo Tejada is legal counsel for “Grupo Multi Inversiones”, a company owned by the oligarchy Bosch-Gutierrez family, famous for owning the Pollo Campero fast-food chicken chain. He is a lawyer for ex-General Efraín Ríos Montt. He was a Congress Member with the FRG party (that Ríos Montt was president of). Palomo’s wife, Lucrecia Marroquín Godoy de Palomo, was also an FRG Congress Member and is from the oligarchy Marroquín Godoy family, owners and/or directors of various media outlets.

Carlos Rafael Pellecer López is a senior partner in the law firm of Rodolfo Sosa de León, the father-in-law of former President Oscar Berger. Pellecer López has been legal counsel for CGN (the Guatemalan Nickel Company – established originally by Canadian companies) since it was incorporated.

Frank Manuel Trujillo Aldana is a former judge who was involved in key decisions in the Rios Montt genocide trial. His decisions always favored Ríos Montt and he was described as an “obstructor of Justice” for the motions he filed in favor of Ríos Montt. His brother, Héctor Trujillo, was a judge with Guatemala’s highest court, the Constitutional Court, when it improperly over-turned Rios Montt’s guilty genocide verdict.

Palomo and Trujillo have represented numerous high ranking military officials and wealthy business owners and public officials accused of corruption.

### **April 28, 2015 – The Legal Struggle Continues**

Despite multiple threats that Mynor Padilla’s victims have received for pursuing justice in Guatemalan and Canadian courts, despite numerous irregularities in this criminal trial since 2009, despite the wealth and political interests behind Padilla’s team of lawyers, despite Guatemala’s widely recognized corrupted and manipulated legal system, the impoverished Mayan Q’eqchi’ victims from villages in El Estor insist on going forward with this trial. Courage, honesty and dignity.

They need our on-going support.

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## **What To Do**

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

Rights Action continues to send funds 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 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, 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](mailto:info@rightsaction.org)

### **Attend the Trial**

If you are in Guatemala, please attend the trial in Puerto Barrios on April 28, 2015.

### **May 22, 2015 – Hudbay Minerals’ Annual Shareholder Meeting education and activism**

Rights Action is planning – with MISN (Mining Injustice Solidarity Network) and Breaking the Silence (<http://www.breakingthesilenceblog.com/>) - to bring three of the victims-plaintiffs (Rosa Elvira, from Lote 8; German Chub, from El Estor; Angelica Choc, from La Union) 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. More information: Mining Injustice Solidarity Network, [rachelblumesmall@gmail.com](mailto:rachelblumesmall@gmail.com), [http:// www.mininginjustice.org/](http://www.mininginjustice.org/)

### **Civil Lawsuits in Canada Against Hudbay Minerals and CGN**

More information: Klippensteins Barristers and Solicitors, [www.chocversushudbay.com](http://www.chocversushudbay.com)

## **“Defensora”**

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](http://www.defensorathefilm.com)

## **More Information**

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