

## **Expert Witness: Hudbay Minerals/CGN Used Military Strategies When They Assassinated Adolfo Ich and Seriously Wounded Several Other People**

As “Hudbay Minerals’ stock price has also declined to its lowest level in six years” (<http://www.rosemontminetruth.com/?p=4242>), as Hudbay’s CEO David Garafolo is abandoning the company to become CEO of Goldcorp Inc. (<http://seekingalpha.com/news/2967176-goldcorp-ceo-jeannes-will-retire-in-april-to-be-replaced-by-garofalo?uprof=53#email> link), the courageous struggle for justice continues in Canadian courts ([www.chocversushudbay.com](http://www.chocversushudbay.com)) and Guatemalan courts for Angelica Choc and other Mayan Q’eqchi’ victims of Hudbay mining related repression.

Below, a report of an expert witness testimony given in court in Puerto Barrios, Guatemala, on December 3, 2015, about how Hudbay Minerals/CGN used military strategies when they assassinated Adolfo Ich and seriously wounded several other Mayan Q’eqchi’ villagers.

- Matching Donor: To support the struggle of the Q’eqchi’ people for community, the environment, territory and justice, a donor will match donations received in Canada and the U.S. in December 2015 = See below
- More information / How to get involved? = See below
- Next hearing: December 9, 2015, Puerto Barrios

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### **Hudbay Minerals/CGN Used Military Strategies When They Assassinated Adolfo Ich and Seriously Wounded Several Other People**

(Communique translated for Rights Action by Rosalind Gill)

During the criminal trial hearing, held in court in Puerto Barrios, Guatemala, on December 3, 2015, an expert witness was called to analysis the criminal responsibility of Mynor Rolando Padilla Gonzales, former head of security for Hudbay Minerals/CGN, for the assassination of Adolfo Ich Chaman and serious injuries to German Chub Choc and other Mayan Q’eqchi’ villagers in El Estor, Izabal.

The presiding judge and defense lawyers for Mynor Padilla, a former Colonel in the Guatemalan military, became nervous after an expert witness in military strategy and public security, called by the Attorney General’s lawyer, presented his conclusions on

the security chain of command at CGN (Guatemalan Nickel Company), the former subsidiary of Hudbay Minerals.

The judge even began to shout and did not allow the expert witness to expand on his conclusions about the chain of command, despite the fact that criminal proceedings allow for such expert witness testimony. The judge did not allow the Attorney General's lawyer to speak, and nor did she allow the plaintiffs' lawyers to speak on this issue.

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The following is a summary of the expert witness's testimony on military strategy, presented at the December 3 hearing.

The operation implemented by Hudbay Minerals/CGN security agents on September 27, 2009, was a planned, tactical military operation. First, there was the intelligence part of the process, involving photographing, following and surveillance of community members. Then, private security guards ambushed one of the protesters, resulting in the shooting and murder of Adolfo Ich and shooting injuries to 8 other protesters.

Mynor Padilla, head of private security, and in charge of Hudbay/CGN's security guards, was in constant communication with his superiors, Roberto Dala, manager of CGN, Otto Vinicio Ríos Ralda, CGN security coordinator, Wiliam Ventura and others.

Chain of command: When an order is given, it comes from the highest authority and goes down the hierarchy to the level that has to carry out the order. The chain of command goes from top to bottom and from bottom to top - the person who carries out an order must then inform his superiors that the mission or order has been executed.

The tactical military intelligence operation that Mynor Padilla used that day led to the death of a community leader. Padilla possessed a lethal weapon; in the Army, he had received military training, up to the rank of Colonel. He used military techniques against community members. He used intelligence and information gathering techniques, then selected his target based on information gleaned from surveillance carried out by Hudbay/CGN personnel. Padilla did not have police training, for deterring protests - his military training was aimed at 'eliminating the enemy' and this is what he did with Q'eqchi' community members, in particular Adolfo Ich.

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What is happening in these hearings is a travesty. The judge's behaviour is particularly worrisome. At the moment when the expert witness was providing this analysis, she tried to threaten the witness by shouting.

Given the situation, we are asking national and international human rights organizations to bear witness to these criminal proceedings to help ensure that justice is served and that the violation of the human rights of indigenous communities does not go unpunished.

*FOR THE RIGHT TO LIFE, MOTHER EARTH AND JUSTICE*

Comunidades en Resistencia de El Estor, Izabal

December 8, 2015

Next hearing: December 9, 2015, in Puerto Barrios

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- 3 minute news report on the trial: <https://www.youtube.com/watch?v=ke-mmPHqFY>
- "Defensora" = Screen this award winning film by Rachel Schmidt that documents the lives and vision of the Q'eqchi' people and their efforts to seek justice in Canadian courts against Hudbay Minerals and CGN. Trailer/Information: [www.defensorathefilm.com](http://www.defensorathefilm.com)

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- Donations received in December 2015 will be matched by a long-time supporter of Rights Action

To support the Q'eqchi' victims/plaintiffs as they struggle to end the impunity of Hudbay and CGN, and achieve justice in the criminal trial in Guatemala and the precedent setting civil lawsuits in Canada, make check payable to "Rights Action" and mail to:

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