

## Re-Open the Mynor Padilla Trial to the Public:

(<http://us9.campaign-archive1.com/?u=ea011209a243050dfb66dff59&id=8eedc1da4e>)

## Former Hudbay Minerals head of security on trial in Guatemala for assassination of Adolfo Ich Chaman, shooting of German Chub Choc and four others



(Adolfo Ich. Photo James Rodriguez)



(German Chub)



(Angelica Choc)

We call on the national and international public to support calls to pressure the Judiciary in Guatemala to re-open this trial to the public.

- Concluding arguments for prosecution: Thursday December 1, Friday December 2. (National and international media and accompaniers invited)
- Case #: Criminal case 18002-2009-00796 against Mynor Ronaldo Padilla Gonzales, former Colonel in the Guatemalan Army, former head of security of Hudbay Minerals and its then subsidiary Guatemalan Nickel Company (CGN).
- Location: Trial is taking place in the Unipersonal Sentencing Court for Criminal Cases, Narcotics Activities and Crimes Against the Environment, in the Puerto Barrios court house, department of Izabal.

Mynor Padilla is on trial for the crimes of homicide, very severe and severe injuries.

- Homicide, September 27, 2007, against Adolfo Ich, community leader and defender of human and territorial rights of Mayan Q'eqchi' communities who are the original owners of

lands that since the 1960s have been claimed by Canadian mining companies INCO, Skye Resources and Hudbay Minerals (until 2011).

- Very severe injuries against German Chub, a young man now paralyzed since the same day Adolfo Ich was killed, after being shot by the defendant.
- Injuries against four other Q'eqchi' farmers from the El Estor region, wounded by firearms that same day.

#### Prosecution:

Guatemalan Ministerio Publico (Attorney General's office), CICIG (International Commission Against Impunity in Guatemala) and Angelica Choc, widow of Adolfo Ich and a civil party to the prosecution.

#### Defense:

Mynor Padilla has had a series of lawyers defending him who are probably (not confirmed) paid by Hudbay Minerals. One of his lawyers (who also defended former general Efraim Rios Montt on genocide and war crimes charges) was assassinated in 2015 for reasons possibly linked to facilitating money laundering for Mexico based drug cartels. Another lawyer has been linked to the government corruption network that ousted and then jailed former President Otto Perez Molina and vice-President Roxanna Baldetti.

#### **Trial behind closed doors**

On February 8, 2016, trial judge Ana Leticia Pena Ayala resolved to continue the trial behind closed doors due to "security threats" for the defendant, for the judge herself, and for the prosecution. The trial has continued behind closed doors since that time.

The prosecution – including Angelica Choc who has received threats, whose house was shot up on September 17, 2016, while she slept in it with two children – did not request this 'closed door' measure; the prosecution does not share the judge's "justification".

- See: <http://www.telesurvtv.net/english/opinion/7-Years-Fighting-Against-Canadian-Mining-Impunity-in-Guatemala-20161018-0021.html>

#### **"Security detail" ... for the accused**

In May 2016, the same judge ordered a "security detail" for Mynor Padilla himself, as requested by Padilla's lawyers based on the patently ridiculous argument that Padilla – who is in jail, and is escorted by a police detail whenever he comes to court – was threatened by a small group of international human rights observers and media.

- See: <http://www.rightsaction.org/action-content/may-19-alert-4-mynor-padilla-hudbay-mineral%E2%80%99s-former-head-security-provided-police->

On November 17, the MP, CICIG and Querellante Adhesiva again asked for a lifting of the closed-door resolution to allow the public to be present at the trial. Denied by the Judge.

As one of many irregularities in this trial, documented by the MP, CICIG and Querellante Adhesiva, this 'closed door' resolution is detrimental to the transparency of the trial and to the possibility that the victims will get a fair trial.

Please send your own public statements to the Supreme Court of Justice, the Judiciary and the Office of the Prosecution, and the Human Rights Prosecutor's Office, stating simply that as individuals, groups and institutions that promote and protect human rights and universally acknowledged fundamental freedoms, you wish to be present, as observers, during all trial related hearings.

Thank-you, on behalf of Angélica Choc, German Chub and the others who suffered injuries on September 27, 2009, as well as the Q'eqchis community who are demanding justice through this criminal procedure.

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### **Your Funds At Work**

Rights Action has supported the community, land and Mother Earth defense struggles of Angelica Choc and the Mayan Q'eqchi' people since 2004. Rights Action is sending on-going funds to the families of Angelica Choc and German Chub, and the Lote 8 women, so they can take extra measures of family safety, and continue to seek justice in Canada and Guatemala for the repression and crimes. To donate, make check payable to "Rights Action" and mail to:

- U.S.: Box 50887, Washington DC, 20091-0887
- Canada: (Box 552) 351 Queen St. E, Toronto ON, M5A-1T8

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- Canada: <https://www.canadahelps.org/en/charities/rights-action/>
- U.S.: <http://www.rightsaction.org/tax-deductible-donations> (click on NetworkForGood)

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