

Angelica and German remain strong, and afraid, in trial against Mynor Padilla, former Hudbay Minerals head of security

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<http://us9.campaign-archive2.com/?u=ea011209a243050dfb66dff59&id=a7d5e04d87>

Angélica Choc walked out of the courthouse in Puerto Barrios, Guatemala, looking unusually pleased. “The public prosecutor was very good today,” she said.



(Angelica Choc, Puerto Barrios court house, February 8, 2017)

It was a rare moment of hope. For almost three years, Angélica has been travelling to Puerto Barrios to attend the trial of Mynor Padilla, a former Colonel in the Guatemalan army and a former head of security at the Fénix nickel mine located in Angélica’s home town of El Estor. The Fénix mine was at the time owned and operated by Canadian company Hudbay Minerals and its subsidiary Compañía Guatemalteca de Niquel.

Padilla stands accused of murdering Adolfo Ich Chamán, an indigenous Maya-Q’eqchi’ community leader and Angélica’s husband. Witnesses say Adolfo was trying to mediate between armed Hudbay/CGN security guards and local residents protesting the mine’s encroachment on Indigenous land rights, when he was abducted by the guards under Padilla’s command and murdered.

Padilla is also on trial for shooting German Chub Choc, a bystander who was left paralysed from the waist down and lost the use of one lung.

Over two days on February 7th and 8th, the prosecution delivered its concluding remarks. “The public prosecutor’s words moved me, they really did,” said Angélica, “Everything he said was true. I can feel that we’re getting near the end. How many years have gone by since my husband’s murder?”

Angélica’s struggle for justice hasn’t been easy. She has received threats and intimidation for pursuing the case – including shots fired at her home in September 2016, while she was sleeping inside with her two youngest children – and expressed relief that it could soon be over. “Now I’m just waiting for the judge’s decision,” she said, “I want me and my family to feel safe again.”

Guatemala is infamous for its high rate of impunity. Padilla remained employed by Hudbay/CGN after Adolfo’s murder and German’s shooting, despite an arrest warrant being issued, and later went

into hiding. He was only arrested in 2012 after years of pressure from local and international lawyers and activists.

“Justice doesn’t come easy for indigenous people in Guatemala,” said Angélica. “We’re criminalised, we’re ignored, there’s no justice for the poor. Hopefully, in this case, there will be justice. It’s all I ask for. It would be a victory for indigenous people. It might restore some faith in the justice system, because there isn’t any right now.”



(German Chub, Puerto Barrios court house, December 2016)

German Chub Choc was also in attendance. It took three young men to hoist him and his wheelchair up the stairs to the courtroom, where he and Angélica sat and waited only a few feet away from Mynor Padilla and his elite team of lawyers. Even the physical environment seemed to be purpose-built to make the experience as uncomfortable and humiliating for Angélica and German as it could possibly be.

“They [the defence lawyers] accuse us of lying. Even German, who is here in his wheelchair. German’s body is living proof that he is not lying. My husband is at rest, nothing I say will bring him back, so why would I lie? All I want is justice. I’ve been suffering for a long time, I’ve been sick, all I want is to be able to see this trial through until the end.”

The defence will deliver its concluding arguments on February 9th. The trial will likely reconvene in two weeks’ time for final statements, after which the presiding judge, Ana Laeticia Peña Ayala, will have 10 working days to render a decision. Angélica’s lawyers expect a verdict to be delivered in late February or early March.

Angélica’s statement

Thankful for lawyers, for the people who accompany me, who are always by my side. I can feel that we're getting near the end. How many years have gone by since my husband's murder?

I'm not telling lies, what I lived through on September 27th 2009, my husband was murdered. The killers have names and surnames, we heard these names during the trial. Now I'm just waiting for the judge's decision. I want to be able to feel safe again.

I'm looking for justice. Justice doesn't come easy for indigenous people in Guatemala. We're criminalised, we're ignored. There's no justice for the poor. Hopefully in this case, there will be justice. It's all I ask for. It will be a victory for indigenous people. It might restore some faith in the justice system, because people don't have any.

Today, I heard the public prosecutor's closing arguments. His words moved me, they really did. Everything he said was true. I've been suffering for a long time, I've been sick, but I want to see this trial through until the end. It's been a long struggle, for me and for German. They try to criminalise us...

German! In a wheelchair. His broken body is living proof that he was shot. And they say he is lying, that he made it all up. My husband is resting, nothing will bring him back, why would I lie, lying won't bring him back. I just want to see justice, I'm not asking for money, I'm asking for justice.

I'd like to thank my lawyers, they've been by side, we've suffered together, we've cried together. The trial is being held behind closed doors, it's yet another trampling on our rights as indigenous people. I didn't agree to this, but here we are.

More information

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