

Seeking Justice for Rape in the Mining Industry: The Hudbay Minerals/CGN lawsuits Examinations for discovery, Toronto, Canada

(Photo-essay #4, by Grahame Russell, November 11, 2017)

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Buscando Justicia por Violaciones en la Industria Minera: Los Juicios Hudbay Minerals/CGN

Declaraciones anticipadas, Toronto, Canada

(Foto-essai #4, por Grahame Russell, 11 noviembre, 2017)

“The moment I entered the cross-examination room, all my fears went away.”
(Amalia, sharing with her co-plaintiffs, after 7 hours of questioning)

“El momento que entre en la sala de interrogaciones, se me fueron todos mis miedos.”
(Amalia contando a sus co-demandantes despues de 7 horas de interrogaciones)

From Nov.8-24, in Toronto, Canada, eleven Mayan Q’eqchi’ women from Guatemala are being questioned –one a day- by Hudbay’s team of lawyers from the well-connected Fasken Martineau law firm.

Early today, the first three plaintiffs left Toronto’s Pearson airport and flew home to Guatemala; this afternoon, four more plaintiffs arrive in Toronto, and will be questioned by Hudbay’s lawyers, November 13-16. The week after, four more.

These examinations for discovery are part of landmark lawsuits aiming to hold Hudbay/CGN accountable for mining related repression at its former mine site in Guatemala, including gang rapes of these 11 women, the targeted killing of Adolfo Ich, and the shooting-paralyzing of German Chub. Plaintiffs German Chub and Angelica Choc –widow of Adolfo Ich – will be interrogated in early 2018.

Del 8-24 de noviembre, 11 mujeres Maya Q’eqchi’s seran cuestionadas por el equipo de abogados de Hudbay Minerals/CGN. El proposito de estas demandas es responsabilizar a Hudbay/CGN por represion minera alrededor de su ex-mina en Guatemala, incluyendo la violacion de 11 mujeres de la comunidad de Lote 8, el asesinato de Adolfo Ich, y el ataque que dejo paralizado a German Chub.



Elena, Angelica and Carmela gather around and comfort Amalia, on a 5 minute break during her day-long (November 9) questioning about the events (in January 2007) when her home community of Lote 8 was completely burned and destroyed, and when she was gang-raped by soldiers, police and security guards hired by the mining company.

Durante un descanso de 5 minutos (9 Noviembre), Elena, Angelica y Carmela apoyan a Amalia. Durante 7 horas, ese día, Amalia estaba respondiendo a interrogaciones detalladas sobre los acontecimientos (en Enero 2007) cuando su comunidad de Lote 8 fue completamente destruida y cuando fue violada por soldados, policia y seguridad de la compania minera.



Amalia, Elena and Angelica gather around Carmela, on a 5 minute break during her day-long (November 10) questioning ...

Durante un descanso de 5 minutos (10 Noviembre), Amalia, Elena y Angelica se acercan a Carmela. Durante 7 horas, este día, Carmela respondía a ...

These are traumatic and life harming acts of mining repression for these women to remember and live with, let alone be interrogated about in great detail.

No es facil vivir con la trauma y memoria de la destruccion de la casa y comunidad de uno, la violacion por multiples hombres ..., sin hablar de tener que responder a preguntas detalladas sobre lo mismo.



On the morning of November 10, the group sets off from the home in Toronto where they are all staying. Today, it is Carmela's turn to be questioned about the destruction of her home and village, about her rape, and more. Into the cold morning they walked joyfully, seeing and touching snow for the first time. L-R: Amalia and Juan Pablito, Jackie McVicar (Breaking the Silence), Angelica, Carmela, Winston Scott (Q'eqchi'-English translator), Elena.

La mañana del 10 Noviembre, el grupo sale de la casa de Grahame Russell, donde se están quedando. Hoy, le toca a Carmela a ser cuestionada arduamente. En un buen frío, caminan con alegría, las tres viendo a y tocando nieve por la primera vez. (Amalia y Juan Pablito, Jackie McVicar, Angelica, Carmela, Winston Scott (traductor Q'eqchi'-Ingles), Elena.



Walking from the office of Klippensteins Barristers and Solicitors –accompanied by lawyers Cory Wanless and Murray Klippenstein-, as a media crew trails along.

De la oficina del bufete Klippensteins, caminan con sus abogados Cory Wanless y Murray Klippenstein.



Returning every evening to their “El Estor Norte” home, where they cook and share meals with friends and supporters.

A la casa “El Estor Norte” cada noche, para cocinar y compartir comida con amigas y amigos.



Artist and activist Pati Flores presents to the women her painting “13 Brave Giants vs. Hudbay Minerals”.

“My latest painting, done from my heart, is about the 13 indigenous Mayan Q’eqchi' plaintiffs from Guatemala and their case against a Canadian Mining company – Hudbay Minerals. May the universe bring the light, strength and solidarity needed in this lucha and search for Justice, for Mother Earth and for holding multinational mining companies responsible for the injustices against their bodies, land and life. This painting is for you-all, and for us to help tell and know your story.” (Pati Flores)

La artista y activista Pati Flores les presenta a las mujeres su obra “13 Gigantes Valientes c. Hudbay Minerales”.

“Mi última pintura, hecha con todo mi ❤️ , es acerca de las y los 13 demandantes indígenas Q'eqchi ' Maya de Guatemala y su caso contra una compañía minera canadiense - Hudbay Minerals. Con este gesto de arte le pido al universo que traiga la luz, la fuerza y la solidaridad necesaria en esta lucha, búsqueda de justicia para la Madre Tierra; responsabilizando a compañías mineras multinacionales de las injusticias en sus cuerpos, tierra y vida. Esto es para todas y todos ustedes - también para nosotros para que así ayudemos a contar y conocer su historia.” (Pati Flores)





The end of another day of painful interrogations, another moment of solidarity, saying prayers to and getting strength from their gods and ancestors, on the 20th floor of the TD North Tower building, King St. W. and York St., in the heart and centre of Canada's financial and corporate power, wealth and (too often) impunity.

Un día mas terminado de interrogaciones duras y tristes, un momento mas de solidaridad, orando juntos con sus dioses y ancestros, aqui en el piso 20 de la torre “TD North Tower building”, esquina de King St. W. y York St., en el mero centro de poder corporativo, financiero de Canada.

“The company now has no power over me and my life because I came here to tell the truth and I told the truth.”
(Elena, after 7 hours of questioning, November 8)

“La compania ya no tiene poder sobre mi persona y mi vida porque vine a decir la verdad, y les dije la verdad.”
(Elena, despues de 7 horas de interrogaciones, 8 Noviembre)

The plaintiffs are available for interviews.

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More information and how to support

info@rightsaction.org, www.rightsaction.org, www.facebook.com/RightsAction.org

Background

- Is Justice Possible in Canada or Guatemala for Hudbay Minerals/CGN Mining Repression?, by Grahame Russell, October 28, 2017, UpsideDownWorld, <http://upside-downworld.org/archives/guatemala/justice-possible-canada-guatemala-hudbay-minerals-cgn-mining-repression/>
- *Defensora*, an award-winning 40 minute film (by Rachel Schmidt, 2013) documents the Q’eqchi’ peoples’ struggle in Guatemala to reclaim ancestral lands and to seek justice in Canadian and Guatemalan courts for murder, shootings and rapes committed by police, soldiers and private security guards working for Canadian mining company Hudbay Minerals and its Guatemalan subsidiary CGN. View: <https://vimeo.com/75725049>

Rights Action funding appeal: \$20,000

Thank-you to countless people who have donated so far ~ these precedent-setting struggles for justice and real accountability are, in part, your funds at work. Funds raised are paying for many of the costs of the 13 plaintiffs and two accompaniers from their home communities in rural, eastern Guatemala, to Toronto and back again. Hudbay will incur some of the expenses. Our costs include: in-Guatemala travel; in-Canada travel; food and lodging in Guatemala (near airport); acquiring passports & visas; purchasing extra clothing and footwear (for people who live in one of the hottest regions of Guatemala); family stipends to leave food and care-givers for children staying at home; Rights Action trips to Guatemala to help prepare the plaintiffs for the trip. If more funds than needed are raised, they will be used for future costs of these Maya Q’eqchi’ people and their on-going work and struggle for territorial and environmental defense, and for human rights and for justice in Canada and Guatemala.

Tax-deductible donations (Canada & U.S.)

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

Credit-Card Donations: www.rightsaction.org/donate/
