

Rights Action
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Guatemala: Criminal Trial Delayed, Again, for Mining-related Murder of Adolfo Ich and Shooting-Paralyzing of German Chub

Press Release by Breaking the Silence and Mining Injustice Solidarity Network, April 3, 2014
<http://www.breakingthesilenceblog.com/general/criminal-trial-for-the-murder-of-adolfo-ich-delayed/>

Puerto Barrios, Guatemala – Indigenous Maya Q’eqchi’ victims of a September 2009 violent attack outside a then-Canadian owned nickel mine were once again disheartened when it was announced today that the criminal trial of Mynor Padilla, former head of security for Hudbay Minerals and its then subsidiary company Compañía Guatemalteco de Níquel (CGN), was postponed.

Padilla’s trial for the murder of Adolfo Ich Chamán and the shooting of seven others on September 27, 2009 was set to open on April 4th but has been postponed until April 24th. An administrative error was cited as the reason for postponing the opening of the trial.

Victims and family members point out that the legal process to bring Padilla to justice has already been prolonged and impeded extensively. “They are misleading us and trying to exhaust us in our pursuit of justice,” stated Angelica Choc, the wife of Adolfo Ich.

“In the four and a half years since the violent events of September 2009 took place, victims, witnesses, and family members have struggled through a long and frustrating series of legal processes in order to have justice served,” said Jackie McVicar, of the Maritimes-Guatemala Breaking the Silence Solidarity Network (BTS). “We are deeply concerned by this delay as it represents one further act of impunity in this case. At the same time, we see primarily Canadian mining companies swiftly accessing the justice system when it is convenient for them, as we have seen in Santa Rosa and Jalapa near Tahoe Resources Escobal silver mine, where there have been over 100 trumped up complaints against community members – none of which lead to criminal convictions due to lack of evidence,” she continues. “We call upon the court to prevent further delays and ensure that this important trial can begin,” urges McVicar.

“The crimes that will be considered in this case comprise just a small number of the countless acts of violence Indigenous Q’eqchi’ communities have faced at the hands of Canadian mining companies operating on their territory over the past five decades,” said Rachel Small of the Mining Injustice Solidarity Network (MISN). MISN and the Maritimes-Guatemala Breaking the Silence Solidarity Network initiated a campaign to support those working for justice in these cases. The solidarity statement, which was signed by over 1200 people from 25 countries supports the victims of these violent crimes and their families. It reads: “We stand in solidarity alongside all victims of violence carried out by mining companies in the region, the Maya Q’eqchi’ community of El Estor, and all those who defend their land, communities, and the rights of Indigenous Peoples. Know that we stand with you today, tomorrow, and in the struggles to come.”

At the time of the attack in 2009, Mynor Padilla was the head of security for the mine, under the ownership of Canadian company Hudbay Minerals and its local subsidiary CGN. He has been accused of the murder of Aldofo Ich Chamán, a respected Maya Q'eqchi' community leader, father of six, and an open critic of human rights violations and environmental damage caused by corporate mining activities.

Padilla will also be tried for the shooting of seven others the same day that Ich Chaman was murdered, near El Estor, Izabal. Haroldo Cucul Cucul, German Chub Coc, Alejandro Chuc, Ricardo Acte Coc, Samuel Coc Chub, Alfredo Tzi Ich, and Luciano Choc all were victims of gunshot wounds. One man, German Chub, lives with a number of serious medical conditions as a result of the shooting, including a collapsed lung and a spinal cord injury that has left him paraplegic.

In a series of separate civil cases being heard in Canada, Hudbay Minerals and CGN are being tried for the shooting-paralyzing of German Chub Choc and the murder of Ich Chamán. In addition, the company is being tried for the gang-rape of 11 women in 2007 in a nearby community during a violent land eviction.

Representatives from communities across Guatemala that have faced violence at the hands of Canadian mining companies have committed to traveling to Puerto Barrios when the trial opens in order to be present to show their solidarity for those seeking justice. "People from across Guatemala are speaking out against the violence in their community since the arrival of mining companies that have started working without consent. Unfortunately, this isn't the only place where violent attacks have happened, but is part of a trend of violence and repression surrounding Canadian mines, at the hands of private security hired by the companies," laments McVicar.

In April 2013, six unarmed men who were peacefully protesting outside Tahoe Resources' Escobal silver mine were shot. Two of the men suffered serious injuries and this incident led to the arrest of Alberto Rotondo, also the then-head of security of the company.

Despite grave and ongoing violence, Indigenous communities near the nickel mine in Izabal have been resisting encroachment on their territory by a series of Canadian mining companies for over 50 years. The commencement of the criminal trial against former head of mine security, Mynor Padilla, is an important step towards justice for the communities who have been actively defending their territory, their lives and their communities through their resistance against the mining project. Angelica Choc, the wife of Adolfo Ich, issues a call for unity: "Let all of us who are fighting in defense of our territories unite to demand that justice be served."

More Info

- About the trial and, more generally, the community defense struggles of Qeqchi people in Guatemala: Grahame Russell, info@rightsaction.org
- About the lawsuits against Hudbay/ CGN in Canada: www.chocversushudbay.com

"Defensora"

This 2013 award winning film by Rachel Schmidt documents the lives and vision of the Mayan Q'eqchi' people and their struggle for justice in Canadian courts against Hudbay minerals and CGN.

- Trailer /screenings /information: www.defensorathefilm.com

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

To support the work and projects of the Mayan Qeqchi people to defend their environment and community well-being and to attain justice for the harms and violations suffered, 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: <http://www.rightsaction.org/tax-deductible-donations>

Educational Delegations To Guatemala

- May 31-June 8, 2014: "Mining injustice ~versus~ community well-being and the environment", in the context of on-going struggles for truth, memory and justice for the genocides and repression of the past. Hosted by rights action and SMAK (Sustainable Mining Alliance of the Kootenays). Contact: info@rightsaction.org
- July 3-10, 2014: "Mayan communities & environmental well-being ~ versus ~ large-scale mining and hydroelectric dam projects, in an unjust global economic order", in the context of on-going struggles for truth, memory and justice for the genocides and repression of the past. Hosted by Rights Action and Mayflower United Church of Christ (Minneapolis). Contact: info@rightsaction.org

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