

## **Plaintiffs in Hudbay Minerals lawsuits are very ready to come to Toronto, November 2017, to be questioned by Hudbay lawyers**

(Share: <http://mailchi.mp/rightsaction/plaintiffs-in-hudbay-minerals-lawsuits-are-very-ready-to-come-to-toronto-november-2017-to-be-questioned-by-hudbay-lawyers>)

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### **Rights Action Commentary**

*Every now and then, there is a community, environmental, human rights defense struggle that is able to break through the complex, fortified barriers of global corporate criminality, impunity, corruption and deceit. The Hudbay Minerals/CGN lawsuits in Canada are one such case/struggle. The issues at hand – mining linked repression (including an assassination, shooting-paralyzing and rapes), illegal community evictions and destruction, corruption and collusion with private security guards, local police and military – are basically identical or similar to so many cases of global corporate criminality, impunity, corruption and deceit occurring around the world – past and on-going. For a number of general and particular factors – including the courage, dignity and strength of the Mayan Q’eqchi’ victim-plaintiffs, and the legal brilliance, passion and commitment of the lawyers -, these cases have successfully overcome numerous political, legal and tactical obstacles, and are proceeding slowly but surely forward. While an eventual trial, if it comes to that, might be 2-5 years off, these lawsuits are already changing the legal and political reality of long-standing impunity and immunity from legal accountability. Read on. Please share widely.*

### **Background – Toronto Star & New York Times**

- *Mayan Families’ Quest For Justice Against Canadian Mining Company Hudbay, June 20, 2016, by Marina Jimenez, <https://www.thestar.com/news/world/2016/06/20/the-mayans-vs-the-mine.html>*
- *How A Guatemalan Murder Trial Could Forever Change Canadian Overseas Mining, June 20, 2016, by Marina Jimenez, <https://www.thestar.com/news/world/2016/06/20/how-a-guatemalan-murder-trial-could-forever-change-canadian-overseas-mining.html>*
- *Guatemalan Women’s Claims Put Focus on Canadian Firms’ Conduct Abroad, April 2, 2016, by Suzanne Daley, [http://www.nytimes.com/2016/04/03/world/americas/guatemalan-womens-claims-put-focus-on-canadian-firms-conduct-abroad.html?\\_r=2](http://www.nytimes.com/2016/04/03/world/americas/guatemalan-womens-claims-put-focus-on-canadian-firms-conduct-abroad.html?_r=2)*

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Rights Action and Klippensteins Barristers and Solicitors travelled to Guatemala City from October 18-20 to meet with the plaintiffs and to prepare them for their upcoming trip to Toronto. Rights Action is organizing the logistics of this trip. Eleven of the plaintiffs are unilingual Q’eqchi’ speakers who have rarely left the El Estor region of Guatemala, let alone travelled in a plane.

- **Funding appeal:** below



Here: plaintiffs from the Canadian lawsuits against Hudbay Minerals and CGN (Hudbay's formerly owned subsidiary in Guatemala), including 9 of 11 plaintiffs from the remote community of Lote 8, victims of rapes committed during the burning and destruction of their home village in 2007, as part of an illegal eviction; including Angelica Choc, widow of assassinated community leader Adolfo Ich. Missing: German Chub, the man shot and left paralyzed the same day Adolfo was singled out and killed. Here also: lawyers Murray Klippenstein and Cory Wanless; and individuals assisting with the planning and preparation of the upcoming trip to Toronto (including applying for visas, assisting with translation, travel plans, etc.) including Grahame Russell (Rights Action) and Lisa Rankin (Breaking the Silence). Last and certainly not least: here, the newborn children of Rosa and Amalia from Lote 8.

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Murray Klippenstein and Cory Wanless also met with their clients on October 19 to update them on progress of the lawsuit and to explain to them what to expect from upcoming pre-trial depositions (examinations for discovery) in Toronto by Hudbay's team of lawyers at the Faskens Martineau law firm. Throughout these meetings, the lawyers were assisted by Winston Scott, who provided English-Q'eqchi' interpretation. (Over the past weeks, Klippensteins deposed corporate officers from Hudbay Minerals and Skye Resources (now owned by Hudbay).)



(Photo: Murray Klippenstein)

As has been the case since these precedent setting lawsuits against Hudbay/CGN were filed in 2010, a Mayan and religious ceremony precedes all meetings – the candles burning throughout.



Margarita Caal Caal and Carmelina Caal Ical – two of the rape victims from Lote 8 - examine photos taken by people working for the mining company at the very time when some of the violent and destructive evictions occurred (photo: Murray Klippenstein)



(Photo: Murray Klippenstein)

Meanwhile, caring for the young was a happy part of the gathering, and a significant aspect of the underlying motivation of the Q'eqchi' people in this precedent setting struggle for justice in Canada: they fight for their lands and territories, for Mother Earth and community well-being, and for their children, grand-children and future generations.



After the meetings, Angelica Choc took groups of women to buy their travel cases, warm clothes and shoes, in preparation for travels north to colder climate.



These extraordinary women are very much ready to come to Toronto and tell the truth about the harms and violations done to them, their families and community, by police and military in coordination with security guards working for CGN. (Plaintiffs German Chub and Angelica Choc will come to Toronto in early 2018, to be similarly deposed.)



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### **Funding appeal: \$20,000. (All donations welcome)**

Funds raised are paying for many of the costs of the 13 plaintiffs (and two accompaniers) travelling from their home communities in rural, eastern Guatemala, to Toronto and back again. Eleven of the plaintiffs are uni-lingual Q'eqchi' speakers who have never travelled outside of Guatemala, let alone travelled in a plane. As 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; two Rights Action trips to Guatemala in October, to help prepare the plaintiffs for the trip and accompany them.

### **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/](http://www.rightsaction.org/donate/)

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### **Background**

- Threats made by employee of CGN (co-defendant with Hudbay Minerals in lawsuits in Canada) against Lote 8 women plaintiffs in Hudbay/CGN lawsuits; Armed men suspiciously shadowing Angelica Choc, <http://mailchi.mp/rightsaction/threats-made-by-cgn-against-plaintiffs-in-hudbaycgn-lawsuits>
- *Defensora* – This 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>

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### **More information**

- Klippensteins Barristers & Solicitors: 1-416-598-0288, [www.chocversushudbay.com](http://www.chocversushudbay.com)
- Rights Action: 1-416-807-4436, [info@rightsaction.org](mailto:info@rightsaction.org), [www.rightsaction.org](http://www.rightsaction.org)

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