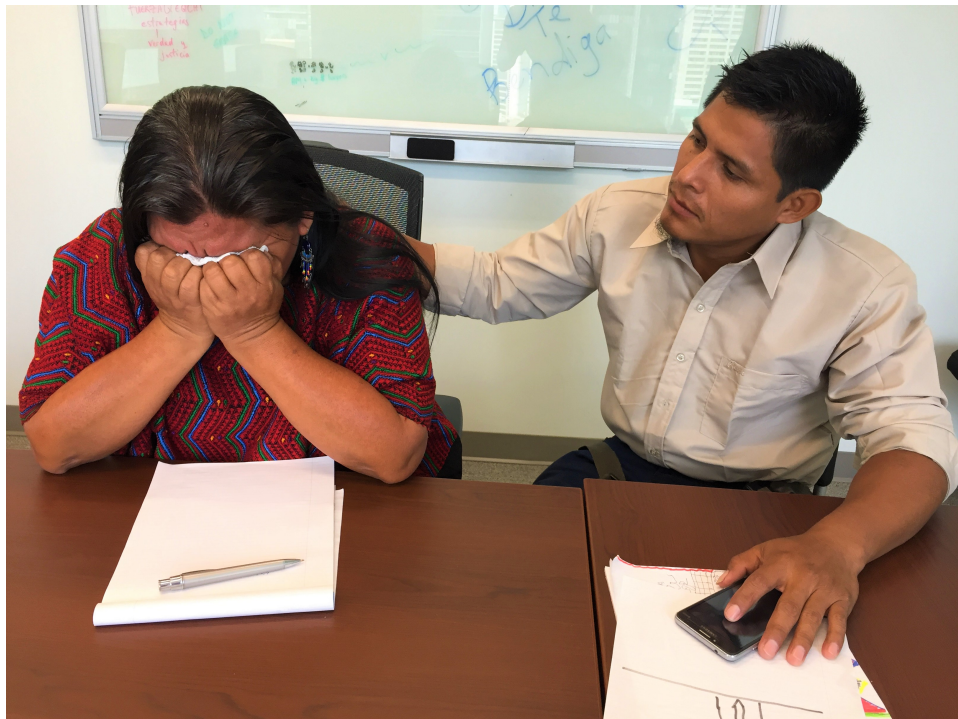


## **This is how hard it is, 8 years into the Hudbay Minerals/CGN lawsuits seeking justice for rape, murder & repression in Guatemala**

By Grahame Russell, Rights Action

<https://mailchi.mp/rightsaction/this-is-how-hard-it-is-8-years-into-the-hudbay-mineralscgn-lawsuits>



On the same day (July 12, 2018) that another campesino (Estuardo Quevado) was murdered in Guatemala, while participating in peaceful resistance against the illegal, violent and environmentally harmful mining operation of Tahoe Resources, Angelica Choc is consoled by German Chub on the 20<sup>th</sup> floor of the TD Tower North, at King St. and Bay St. in downtown Toronto.

Angelica is taking a break from being interrogated by Hudbay/CGN lawyers about 'the events of that day', September 27, 2009, when her husband Adolfo Ich was killed by Hudbay/CGN private security guards, when German was shot and left paralyzed by those same guards. (German was similarly questioned all day Monday.)

These examinations for discovery (depositions) are part of precedent setting lawsuits to hold accountable Hudbay and CGN (its formerly owned subsidiary company Guatemalan Niquel Company, now owned by Solway Investment Group, <http://www.solwaygroup.com/>) for the gang rapes of 11 women by Hudbay/CGN security guards, soldiers and police in 2007, the killing of Adolfo and shooting-paralyzing of German.

From November 8-24, 2017, the eleven women were questioned by Hudbay in Toronto; this past week, July 9-12, it was German and Angelica's turn. Moreover, they were all similarly interrogated in

November 2012, during Hudbay's unsuccessful 3-year pre-trial effort to have these lawsuits thrown out of Canadian courts.



Angelica and German in prayer and communication with their ancestors and gods, each day before going downtown to the examinations for discovery.

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Jackie McVicar, former coordinator of Breaking The Silence, has worked with Angelica and German for years. On July 5, Jackie accompanied Angelica and German north to Toronto and then to a meeting with their lawyers before the interrogations began. Jackie ([jmccvicar@gmail.com](mailto:jmccvicar@gmail.com)) wrote:

*"On Friday (July 6), I sat around a long table at the Klippensteins Barristers and Solicitors office in downtown Toronto and wished I wasn't there. Wished I didn't know German Chub, the 30 year old man sitting beside me in a wheelchair, or Angelica Choc the Maya Q'eqchi woman sitting across the table, lighting candles and saying prayers.*

*"I closed my eyes and wished that German didn't have the bullet in his back, that Angelica's husband, Adolfo, was alive. I wished that guns weren't fired on September 27, 2009, that no one was hurt. That the nickel mine in their community, owned by Canada's Hudbay Minerals at the time of the attacks, didn't exist, that it never opened, that it wasn't destroying Lake Izabal with its contamination.*

*"I wish that German could teach his son how to ride a bike instead of being stuck in a wheelchair after being left paralyzed by the gunshot, fired - as he remembers clearly - by the head of security for the mining company the same day that Adolfo was murdered by those same security guards.*

*"I wished that Angelica and Adolfo could share in the joy of caring for their grandkids together instead of having their family ripped apart.*

*"Though Angelica and German have etched a special space in my heart and I love them deeply, I wish we would have never had to meet. That they were living on their land, in peace, without foreigners around. That there would be justice, not only for what happened to them but for their community and the Maya Q'eqchi' people who have been criminalized, displaced, killed and dispossessed of their territory for centuries - just last week, Eduardo Bin, their friend and neighbor, was put in jail on trumped up criminal charges related to his community and land defense activism, reminding us this isn't only historic but ongoing.*

*"This week, Angelica and German are giving their depositions in Toronto. They are facing the beast and those who represent it. Without fear, they are speaking their truth despite the racist system that tries to keep them down. I am grateful, humbled and in awe of their courage. Please share their stories ...".*

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I share Jackie's respect and feelings. Since 2004, I have been working in Angelica and German's region of El Estor as mining related violence and forced evictions were again being committed against local Maya Q'eqchi' communities; just as these same communities had suffered in the 1970s and 80s when the Canadian mining giant INCO (International Nickel Company) first initiated this mining operation in partnership with the Guatemalan military regime headed by Generals Fernando Lucas Garcia and Efraim Rios Montt.

Since then, Rights Action has brought many North American citizens and journalists to the region to witness and report on the violence and destruction. Since then, Rights Action has been providing funding to victims of the violence, health harms and evictions.

It was during these early years, I met Adolfo as he and other community defenders suffered, documented and denounced the forced evictions, harms and repression.

And since 2010, Rights Action has been funding and supporting German, Angelica and the Lote 8 women as they seek justice in Guatemala and Canadian courts for the mining repression they suffered.

It is an honour to work with the Lote 8 women, Angelica and German in their efforts to hopefully achieve a measure of justice and reparations, even as they suffer on going threats and attacks. It is an honour to support Murray Klippenstein and Cory Wanless as they spearhead these landmark lawsuits that have – generations overdue – forced open a crack in the door of Canada's deeply entrenched impunity and immunity from legal or political accountability for mining companies when they commit human rights violations, crimes and environmental harms in other countries.

And, as Jackie wrote, it is hard and sad accompanying them as they are interrogated again by Hudbay's lawyers in the Faskens Martineau law firm (the real financial beneficiaries, thus far, of Hudbay's repression and the ensuing lawsuits) about the events that created so much destruction, loss and suffering – suffering that is on-going today: they all live in worse conditions and more fear today, than when they were first attacked and harmed.

It is hard and sad to accompaniment these courageous people as Hudbay's lawyers using every trick in the book to poke and prod, re-prod and re-poke for ever more information, however relevant or not to the mining linked violence, as they use every trick in the book to slow down and drag out the lawsuits. According to some observers, a trial date might still be 2-5 years away.

(NB – Angelica Choc will likely be back in Toronto for an August 9, 2018, court hearing date as her Klippensteins lawyers and Hudbay's lawyers will be arguing some contentious issues before a judge. More information to follow.)

And all of this is even harder knowing that the Hudbay Minerals lawsuits are the best case scenario that victims of Canadian mining harms and crimes around the world get to achieve even a measure of justice and reparations. These landmark, vital lawsuits are also a drop in the bucket against the backdrop of systemic and repetitive violence, repression and environmental harms occurring at mining operations around the world, ... as witnessed again yesterday in Guatemala when Estuardo Quevado, an active member of the Casillas resistance to Tahoe Resources' illegal and violent operation in San Rafael las Flores, was assassinated.

It is a long, hard and sad struggle ... most worth it. All respect to German, the Lote 8 women, Angelica, and their family and community members; to the Klippensteins law firm; and to the people and groups supporting this most honourable and necessary struggle.

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#### **More information, Hudbay Minerals lawsuits and Maya Q'eqchi' justice struggles**

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

#### **More information, Tahoe Resources lawsuits and community resistance struggle**

- Breaking The Silence, [btscoordinator@gmail.com](mailto:btscoordinator@gmail.com)
- NISGUA (Network in Solidarity with Guatemala), [www.nisgua.org](http://www.nisgua.org)
- Rights Action

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

Thank-you to countless people, and some institutions, who have donated funds so far. Funds raised are paying for many costs of the plaintiffs as they seek justice in Canadian and Guatemalan courts; for the plaintiffs and their families as they continue to live in precarious conditions due to their struggles for justice, and in conditions of ongoing suffering due to the original evictions, loss of homes and lands, and health harms they suffered. (Funds will be used, in the near future, to hopefully bring Angelica back to Toronto to be able to attend the August 9 public hearing.)

Rights Action is also sending regular general support funds to the Casillas Resistance Movement, as they respond to harms and violations caused by Tahoe Resources.

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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