

## Did Hudbay Minerals & Skye Resources ever have a valid mining license in Guatemala in the first place?

<https://mailchi.mp/rightsaction/did-hudbay-minerals-skye-resources-ever-have-a-valid-mining-license-in-guatemala-in-the-first-place>

Maya Q'eqchi' community members from El Estor attend a hearing before the Supreme Court of Justice (CSJ) in Guatemala challenging the original license granted in 2005 to the "Fenix" nickel mining project, then owned by Skye Resources/ Hudbay Minerals (Canada), now owned by The Solway Investment Group (Switzerland)



The hearing took place in the Supreme Court of Justice (Photo Prensa Libre: Dony Stewart)

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## Comunidades maya q'eqch'ies piden el cierre de operaciones de la Compañía de Níquel

Por Nelton Rivera, Sept.17, 2018

<https://medium.com/@PrensaComunitar/comunidades-maya-q-eqch%C3%ADes-piden-el-cierre-de-operaciones-de-la-compa%C3%B1%C3%ADa-de-n%C3%ADquel-6a1f3e8beb4b>

Maya Q'eqchi' community members from El Estor, Izabal, were present during a hearing in front of 13 judges of the Guatemalan Corte Suprema de Justicia (CSJ). Represented by lawyer Rafael Maldonado, they are asking the court to suspend the mining operations of CGN (the Compañía Guatemalteca de Níquel), owned by the Solway Investment Group of Switzerland, previously owned by Hudbay Minerals & Skye Resources of Canada.

They argue that the companies violated the indigenous people's rights to previous, free and informed consent in 2005, when the license was granted to Skye Resources, later taken over by Hudbay Minerals. CGN argues that their permission to operate the mine dates back to 1960 when the mine was first owned by INCO (of Canada) and its Guatemalan subsidiary EXMIBAL.

The Maya Q'eqchi' people presented their motion on February 22, 2018, challenging the Ministry of Mines and Energy (MEM) granting of the license. Now, the CSJ is considering whether there ever was a valid

consultation process. If not, they could order the closing of CGN's mining operations and order the MEM to carry out a proper consultation process with Q'eqchi communities that have been affected by one of the largest mining projects in Latin America, resulting in multiple human right violations.

As a precedent, the CSJ will consider a recent decision of the Guatemalan Corte de Constitucionalidad (CC) that recently ordered the suspension of Tahoe Resources' silver mine until a proper consultation process is carried out. [...]

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## Background

### Hudbay Minerals corporate documents reveal extensive knowledge about and enabling of repression and corruption in Guatemala

By Grahame Russell, July 19, 2018

<https://mailchi.mp/rightsaction/hudbay-minerals-corporate-documents-reveal>

### Hudbay Minerals lawsuits – Media reports, Photo-essays

<http://rightsaction.org/hudbay-minerals-lawsuits-media-reports-photo-essays/>

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## More information

- Legal challenge against mining license in Guatemala: Rafael Maldonado, [areapoliticallegal@gmail.com](mailto:areapoliticallegal@gmail.com), +502 5834-5834
- Hudbay Mineral lawsuits in Canada: Klippensteins Barristers & Solicitors, Murray Klippenstein and Cory Wanless, +1 416-598-0288, [www.chocversushudbay.com](http://www.chocversushudbay.com)
- Criminal trial in Guatemala against Hudbay's former head of security, Rights Action, Grahame Russell, [grahame@rightsaction.org](mailto:grahame@rightsaction.org), +1 416-807-4436

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- **Matching donor:** for donations (up to total of \$20,000) made by September 24, 2018

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- U.S.: Box 50887, Washington DC, 20091-0887
- Canada: (Box 552) 351 Queen St. E, Toronto ON, M5A-1T8

Credit-card donations: <http://rightsaction.org/donate/>

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Contributions can be made anonymously

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More information: Grahame Russell, [info@rightsaction.org](mailto:info@rightsaction.org)

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