

“Somebody paid them to come out and rape us”

11 Maya Q’eqchi’ women speak - Plaintiffs in the ‘Lote 8 gang-rape’ Hubday Minerals lawsuit

Forward and compilation by Grahame Russell, Rights Action

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“These men -- somebody was okay with what they did. They were paid to come out and do this to us. They were paid to come out and violate us and rape us and do all of this horrible, terrible stuff to us. Somebody knew they were going to do it. Somebody paid them to come do this.”

(Answer to question #429, testimony of Irma Yolanda Choc Cac, November 13 and 14, 2017)

Published here (PDF: <https://rightsaction.org/11-maya-qeqchi-women-speak/>) are excerpts from the examinations for discovery (depositions) of 11 Maya Q’eqchi’ women from the village of *Lote 8*, municipality of El Estor, Izabal, Guatemala. These women are plaintiffs in the ‘*Lote 8 gang-rape*’ lawsuit, one of three precedent-setting, corporate accountability ‘Hubday Minerals lawsuits’ working their way through Canadian courts.



Here, nine of the eleven women-plaintiffs in the *Lote 8 gang-rape*’ lawsuit, along with Angelica Choc, plaintiff in the Adolfo Ich murder lawsuit.

Each of these women was gang-raped on January 17, 2007, by roving groups of Guatemalan soldiers and police, together with security guards hired by the Canadian mining company Skye Resources and its local subsidiary company CGN (*Compania Guatemalteca de Niquel*), during the wholesale burning and destruction of their rudimentary homes in the isolated, mountain-top village of *Lote 8*. Skye Resources was later purchased by and amalgamated with Hubday Minerals that assumed Skye’s liabilities for human rights violations in Guatemala.

Their 'Lote 8 gang-rape' lawsuit was filed in early 2011. In November 2017, all 11 women came to Toronto to be interrogated by Hudbay Minerals' team of lawyers (Faskens law firm) during examinations for discovery, known in the U.S. as depositions.

November 8, 2019 public hearing

In preparation for an amendments motion hearing in the *Lote 8* gang-rape lawsuit, lawyers for Hudbay Minerals filed into the court record transcripts of the women's November 2017 depositions (examinations for discovery).

- **Public hearing:** Nov. 8, 2019, 10:00am, Superior Court of Justice, 393 University Ave., Toronto, ON, Canada, M5G 1E6.
- **Angelica Choc**, widow of the murdered Adolfo Ich and plaintiff in one of the other Hudbay Minerals lawsuits, will be in court on behalf of all the plaintiffs.

What is the November 8, 2019 hearing about?

Hudbay Minerals will argue that even though Skye Resources/CGN paid money (quite possibly illegally) directly to the Guatemalan police and military to help plan and carry out the violent, illegal evictions of Mayan Q'eqchi' communities near Skye Resources' then-owned mine site -- including the January 17, 2007 raid of hundreds of police, military and company security guards into the village of *Lote 8* during which the 11 women were gang-raped by soldiers, police and company security guards -- the plaintiffs should not be able to sue Hudbay for the rapes committed by the police and military.

Lawyers for the plaintiffs will argue that Hudbay Minerals should be accountable for the participation in the rapes by Guatemala police and military, as well as that of Skye Resources' private security guards, because of the overall closely intertwined co-operation of the Guatemala police and military with Skye Resources (now Hudbay Minerals) personnel, which included directly paying the police and the military and helping to plan and carry out the violent evictions in question.

The women speak

Below, I have excerpted parts of the women's testimonies from the November 2017 examinations for discovery (depositions). These are taken directly from the official court transcripts. In some places, I have made minor edits for the sake of clarity. Any errors in presenting their testimonies are mine.

- PDF: <https://rightsaction.org/11-maya-qeqchi-women-speak/>

The full testimonies are now part of the public record, and can be accessed from the court. According to the court's website: Requests can be made in-person or by agent. T: (416) 327-5201, e: COA.E-file@ontario.ca, F: 416-327-2213. <http://www.ontariocourts.ca/scj/>

Please note that I include here excerpts from the testimony of Rosa from 2012, as well. In 2012, Rosa and Margarita came alone to Toronto, to be similarly interrogated by Hudbay's lawyers during the pre-trial motions to dismiss the lawsuits. Those initial three years of the lawsuits (2010-2013) did not go well for Hudbay Minerals, and the Ontario Superior Court ruled in July 2013 that indeed these lawsuits can should be heard in Canada.

Strength and dignity

These testimonies provide a sample of the violence, rapes and destruction the women and their families and community suffered at the hands of Skye Resources (now Hudbay Minerals). They provide a

measure of the strength and dignity of these women, still seeking justice and reparations 12 years after the mining-atrocities were committed.

Please send comments and questions my way.

Grahame Russell, director Rights Action

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Tax deductible donations (Canada / U.S.)

Funds are needed to support the Mayan Q'eqchi' victims of mining repression in their justice and territorial defense struggles in Canada and Guatemala. (Proper proposal available on request). [Make check payable to "Rights Action" and mail to:](#)

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Further information regarding November 8, 2019 amendments motion:

- Proposed Amended Statement of Claim: <http://www.chocversushudbay.com/wp-content/uploads/2019/07/2-Caal-v.-HudBay-Proposed-Second-Amended-Statement-of-Claim.pdf>;
- Summary of Amendments: <http://www.chocversushudbay.com/wp-content/uploads/2019/07/Summary-of-amendments-to-statement-of-claim.pdf>

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ONTARIO SUPERIOR COURT OF JUSTICE

Court File No.: CV-11-423077

Between:

MARGARITA CAAL CAAL, ROSA ELBIRA COC ICH, OLIVIA ASIG XOL, AMALÍA CAC TIUL, LUCIA CAAL CHÚN, LUISA CAAL CHÚN, CARMELINA CAAL ICAL, IRMA YOLANDA CHOC CAC, ELVIRA CHOC CHUB, ELENA CHOC QUIB and IRMA YOLANDA CHOC QUIB

(Plaintiffs)

- and -

HUDBAY MINERALS INC. and HMI NICKEL INC.

(Defendants)

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ROSA ELBIRA COC ICH

(Excerpts from Rosa's examination for discovery, November 27, 2012)

360 Q. And did these trucks come on the same road that they drove on, on January 9th [2007]?

Yes, it's the same. There's only one road there.

362 Q. Who did you see get out of the trucks?

It was the same on the second time around, it was the police, military and the company.

377 Q. Were any of the men in the uniform that came out of the trucks carrying weapons?

Yes, they were. They're the ones that carried the guns and the gasoline containers.

380 Q. You said that on January 9th [2007] when the police and others came to evict your community, there were many members of your community that were there. So, on January 17th when the trucks came up did people from your community go to where the people in the uniforms were?

Well, we didn't do anything when they got there. What would we do when they got here? Do you think we might talk to them and invite them into our homes?

390 Q. Why did you stay in your home and not go to the bush?

I stayed in my house and that's where I was and they didn't say one word about what they wanted with me. I wouldn't imagine that there would be any kind of pain or difficulty that they would give me.

394 Q. You said that you stayed in your house, but did you see if anyone else from your community went into the forest or the bush?

Well, because I was in my house I didn't see it. Had I been outside of my house perhaps I would have seen people escaping.

395 Q. When you were inside your house could you hear anyone talking outside of your house?

Well, I heard them. They were screaming.

396 Q. Who was screaming?

Those who were screaming were my community members and I also heard the voices of the people who came to give difficulties.

397 Q. When you say "screaming" does that mean saying words or just making a loud noise?

No, it was just pure fear and screaming "ay" as they were running from guns.

424 Q. Was it the police or the military or the company people that made that statement to you?

In three, they came, the police, military and the company.

433 Q. You say in your affidavit that these men ripped off your clothes. Does that mean all your clothes?

Yes, they started to squeeze me. They took off my clothing.

434 Q. You say that some of the men who did this to you were the company people. And how many of the men were the company people?

Well, as they got there and they put the gun to my head and they said tell where is your husband, and as they put the gun to my head and I didn't respond to them that's when they grabbed me and demanded - and as they were talking to me I looked to my left side and saw the rest of them there.

435 Q. How many of those men were wearing the company uniform?

The way I saw it there were three most likely. They came in. They put the gun to my head and they said, "We're going to kill you if you don't tell us where your husband is." And I did not tell. And that's when they covered my mouth.

436 Q. While this was happening no one from your community came to try and help you. Is that correct?

Nobody. Nobody, because they were receiving what I was receiving.

441 Q. Let me ask you this question, because I'm still talking about January 17th, 2007, is it your evidence that the same people that attacked you also attacked the other women? Just to be clear, I'm talking about the exact, same men that attacked you, did those same men attack the other women?

No. I received what I got and there were a lot of other groups of people that were going here and here and here and here.

442 Q. You mean there were other groups of uniformed men that were going to different houses in your community to attack other women?

And the way they do it is they get together and divide into groups and each goes on to their own part to cause harm. They don't all stay in one group.

443 Q. When you say "they" you mean the police, the military, and the company people?

Yes, that's it.

444 Q. So these men assaulted you and then left you in your home?

Yeah, like that. By myself they had left me after they come and played with me. They closed my eyes. They forced me to the ground and there they started to violate me and after that ended they didn't leave me with anything.

446 Q. When your husband came home were you still lying on the floor?

That's where I was. I couldn't move anymore. I could not get myself up. It was so painful, what they did to me.

448 Q. Did you tell your husband specifically that these men had raped you?

I told him.

462 Q. You said you were lying in your house after they left and your husband came home and you were still in your house. So when did they burn your house down?

After they played with me over and over again and then finally I was laying down and they pushed me outside and that's where they burned my house.

465 Q. What about the other women that are bringing this lawsuit, were their homes destroyed on January 17th, 2007?

They didn't leave one house at all that they didn't burn.

(Excerpts from Rosa's examination for discovery, November 22, 2017)

238 Q. And when you say "rape", you mean that they had sexual intercourse with you?

I am showing respect to you and I would really appreciate if there was some respect shown to me. I have had to say this story over and over again. If this woman, if you in front of me would have had something like this happen to you and they would have done this to you, what they did to me, would you just be going around and just talking and telling people and telling people and talking about it?

239 Q. I'm not going to ask you a lot of questions about what happened that day because you've already told us before. I'm just making sure, on this one issue, that I understand exactly what happened.

Yes. That's what they did to me.

MARGARITA CAAL CAAL**(Excerpts from Margarita's examination for discovery, November 28, 2012)**

260 Q. You say in your affidavit that you left your house to see what was going on - what did you see?

I just saw that they had begun to burn houses, the police.

265 Q. Why did you think it was the police?

Well, because we had already received that first eviction [January 9, 2007].

281 Q. How many men came into your house?

Seven of them.

286 Q. All seven of the men had a gun?

Yes, there were guns with all of them.

290 Q. I think you just said that they grabbed you - was that inside your house or outside your house when they grabbed you?

They grabbed me. They took off my clothing and they played with my life.

293 Q. When you say play with your life, you mean they forced you to have sex with them?

294 Q. Did all seven men force you?

They forced me, all of them. They didn't talk to me.

That's what they did. That's what they did to me, and they did it to me and 11 more women. They played with our lives.

296 Q. Because I think it needs to be clear on the record, when you say that they played with your life, you mean that they forced you to have sex with them, is that right?

That's exactly what it means. They destroyed my life before God and before my husband.

306 Q. Were you still there when they all left your village?

Yes, I was still over here, but I could not get up anymore. When they left, my house was up in flames.

315 Q. Did you stay, then, in your village that evening?

I stayed in my village.

AMALIA CAC TIUL**(Excerpts from Amalia's examination for discovery, November 9, 2017)**

So the second time when they came there [January 17, 2007], when they got there, it was in the evening, and I'm making my tortillas for my children. I was there making food. When they got there, I had no idea anybody was showing up. We were completely surprised. And they came there, and they grabbed me, and they drug me right in front of my children. They drug me out of the house. And it was a very painful thing they did to me. They knocked me down. They cut the skirt off. My children were crying, and they were screaming. And it was a horrible pain that they did to me. I was hurting.

They threw me down on the dirt, and they hurt me really, really bad. Just like a dog when he comes and he finds some food and he's growling and he's carrying on, that's the same way these guys were acting, just like dogs when they were doing this to me.

Then they pulled me and drug me off into the bushes, and the things that they were doing to me there, it was just horrible what they were doing to me.

THE WITNESS: I'm telling you what you asked me. It was horrible what [the] empresa [the company] did to us, and the things that they did, physically did to me.

Can a person get over that kind of pain and that kind of treatment? It's over the top the pain and the horrible things that [the] empresa did to us.

There are no answers for the things that have happened to us and the repercussions from it. This is what I'm talking about. And my children were crying and screaming. And they threw their food down on the ground. They dirtied up the food. They threw everything we had on the ground. And then we're trying to get things back together and the pain that we had to walk through as we picked up the pieces.

We know what they wanted us to do. They wanted this land because they knew it was good land. And they didn't care if we had a place to go. They didn't care if our children had anything to eat.

275 Q. How many men came to your house and grabbed you and dragged you out of the house?

A lot of them. I wasn't counting them.

276 Q. Was there more than nine people there?

A lot of them. When they pulled me into the bushes, they stuffed a cloth in my mouth, and they tied a cloth around my head.

277 Q. Okay. So the men who dragged you into the bushes, how many men did that?

A lot of them.

278 Q. More than nine people?

It was probably that amount, but I don't remember, but it was a lot of men around.

When they got the cloth tied around your head and another cloth in your mouth, do you think you can keep track of what all is going on around you? They drug me across the dirt just like you would take a dog and just drag him across the dirt, and then they violated me.

282 Q. I understood that you said that some men violated you. What did you mean by that?

They raped me.

283 Q. How many men raped you?

A lot of them. I don't know. That's the reason why we told you the story before. It's written down already, how many there were. We already said how many there were.

284 Q. So you don't know right now how many men there were who raped you?

I don't remember right now because it's been a long time ago. But I told people. I reported this. I told them, and they recorded it or they wrote it down.

293 Q. Who did you try to tell?

We went to government to try to get help. We tried to find somebody. I wanted somebody to hear my story, how that I lost my baby and that would listen to the pain that I went through and the horrible things that happened to me. I knew who it was. It was the empresa.

310 Q. When you said that at the second eviction some men raped you, do you mean that they had sexual intercourse with you?

When they finished raping me, I was hurting inside -- internally I was hurting, and I'm still suffering from that today.

311 Q. But when you say "rape," do you mean that these men had sexual intercourse with you?

They did.

312 Q. How many men had sexual intercourse with you at the second eviction?

When they started doing it to me, they put the cloth in my mouth, and they tied me, and they started -- a lot of them raped me.

313 Q. Could you see the men who were raping you?

I couldn't see them anymore because they tied the cloth, they blindfolded me, and they took all of my clothes off, and I didn't see who it was, what they were doing to me.

317 Q. Did they do this in your house or when they took you to the bushes?

In the bushes. They drug me off over -- they drug me on the ground like a dog.

318 Q. When did they take all your clothes off?

They grabbed me, and they cut off or they took off my -- before I was aware of it, I didn't have anything on anymore.

321 Q. So you didn't have anything on the top of you either?

They took everything off me. I had nothing on. It was really painful what [the] empresa did. And it's really painful for me to say this story again because I've already said this story. Am I an animal that I should be treated like this? My husband, he honoured me. My husband, he cared about me. He loved me. And then they come and do this. And these same people, these empresa people, they have a good table to eat at, a good table for all the things that they need, and then they send them out to do this to us.

And every time I have to say this story, it's another really painful thing. Wouldn't you feel -- if this was happening to you, you're a woman, and they did this to you, wouldn't you feel -- do you have any sympathy? Do you have any feeling for what I went through that they did this to me?

324 Q. Did any of the people -- the men who were attacking you, did any of them -- were any of them wearing something on their head?

Some of them, you couldn't tell who they were because all they had was holes for their eyes, and you wouldn't know who it was because all they had -- they had this thing over their heads, and they just had their eyes where you could see them.

325 Q. And the people who had something over their head so you could only see their eyes, what was their clothing?

They didn't want us to report them. They didn't want us to tell anybody that they were sent there by [the] empresa to do this. So some of them did not want people to know who they were, and that's why they did that.

328 Q. So what happened after these men raped you in the bushes? Did you stay in the bushes?

It was with a lot of pain that I tried to get up and walk because I was hurting all over, and I was bleeding.

329 Q. And where did you go when you got up and tried to walk?

Where am I supposed to go? I didn't have any place to go. They burned my house down. Where was I supposed to go?

330 Q. Where were your children when you were being attacked?

The children were hiding in the bushes. When they saw they were burning the house down, they just went and hid themselves.

334 Q. You said you were crying out. Did anyone try to come to help you?

Who would be available to come help me? Everybody was terrified. And they're saying that if you don't shut up and be quiet, that we are going to come back or we'll see later what's going to happen to you.

338 Q. So at the time that you were being attacked by this large group of men, there was other men who were destroying your house and putting it on fire at the same time?

They were just -- when they took me and went out there, these dogs from the empresa, they were the ones over there tearing down my house and destroying my home and setting it on fire, and the others were raping me at the same time.

344 Q. On the second eviction, were any of the houses in the village left standing?

No, not one. Every house was down.

345 Q. And so once all of the houses were down, did the three group of men who had been paid by the company -- did they all leave?

They came around, and they burned everything, and they threw gasoline on it and burned all my clothes and the children's clothes. I was left with no clothes, no clothes for my children. How are you supposed to pick up something that's been in a fire and burned? I found a little piece here and there that I could use. And then they raped me, and they hurt me.

351 Q. What was the explanation you gave your husband as to why you didn't have clothes and had blood on you?

He asked me, "What happened?" I said, "Nothing happened." But he says, "What?" I said, "Nothing happened." It was probably a week later that slowly I started telling him what happened. I said, "This is what happened. [The] empresa, they raped me."

I live with fear all the time because I don't know. And when I was hurting so bad, it's almost a complete gift from God that I could even have a baby because I did -- it's very painful to live as a married woman after something like that happens. And every day I live in fear, and I don't know what to do with this.

394 Q. What physical or psychological harm have you suffered because of what happened to you on the second eviction?

Ever since then, I have pain in my lower abdomen or in my body.

395 Q. Do you take medicines for that pain?

No. Where would I find money to buy medicine? If I had money, I could maybe go buy medicine.

ELENA COC QUIB**(Excerpts from Elena's examination for discovery, November 8, 2017)**

289 Q. Did these people who were wearing the clothing that was the blue colour of the sky have any type of weapons?

So I'm going to tell you how it happened. When that bad thing happened to me, it was the same men in the blue uniforms the colour of the sky. They're the ones that caught me and held me, and they handed me over to the ones in the green clothing, and the ones in the green clothing are the ones that violated me and raped me. And I was pregnant at that time. So when they did that and they raped me, they stuffed a cloth in my mouth, and when they left me, I was completely covered with blood, and I lost my baby at that time.

I'm not afraid to say what happened to me. I'm not going to stop explaining what happened to me.

And it was these men, just like this, that raped me when I was three months' pregnant, and then I was not able to carry the baby, and the baby was miscarried. And it's men just like this that are the ones that burned my house, and they burned my clothing, and they burned everything I had in my house. And I was left with no clothing for myself, nothing else, no clothing to wear and no clothing for my children.

It was in the evening. It was raining. It was blowing when they came and did that.

And I cry for my baby. I cry for my child. Am I an animal that they should have treated me like this? I'm telling you the truth. I'm not afraid of it. I'm not ashamed of saying what happened. I'm saying it right here in front of this lady that is recording everything that is being said.

And if it was one of you, would you not -- you're a woman, and if something like this happened and all around you is just blood on your legs and blood on your feet and you are standing in blood, is there not something in you that you would rise up and say that something has to be done about this?

315 Q. You said that your husband was away working on the crops when this happened to you?

He wasn't there. He was at his work. He did not know what was going on. He had no warning. He didn't know what was happening. And when he came, I didn't see when he got back from work. I was, like, dead. I was damaged. I was covered with blood.

They drug me just like you take an animal and drag him somewhere. Who sent them? Somebody knows who sent them to do this. Somebody knows. We didn't have any warning of it. I was fixing my tortillas when they got there and did this to me. I was getting ready to feed my children. My children didn't get any food that evening.

I'm crying. I'm especially crying now because to see these men that -- to see these guys right here in this picture, I know that it's those same ones that did that to me.

324 Q. So when you realized what was going on, was your house still there?

There was nothing left there. It was all destroyed. It was all burned down. All my clothes, all my things in my house, the house. Everything was burned down.

340 Q. What did these men do when they came there?

They cut down our house with a chain saw.

341 Q. Was that at the first eviction or the second eviction?

The first time they came, they cut down our house and cut it all up with a chain saw. The second time they came and they tore down -- they burned up everything.

362 Q. So on that day, the second eviction, please tell me what -- you said that you were cooking your tortillas. And then what happened?

They caught me. They grabbed my hand. They drug me over. I'm looking for my children when it was over with and looking where my children were. And then they told me after they were finished that if you say anything to anybody about this, then we're going to see what will happen to you.

One thing is they put the cloth in my mouth, they tied it, and they took my clothes off. I was naked. So I feel a lot of pain in my heart because of the horrible thing they did to me. And the thing that really makes it painful for me is I was pregnant at the time. The thing I really cry about right now is for my baby. Was my baby an animal or something that they would act like that and treat me that way? And I feel nothing but pain in my heart now. And at that time, I was left lying there in blood. And they left, and they very likely don't feel any pain about what they did to me.

370 Q. At the second eviction, did any man have sexual intercourse with you?

So let me explain what happened. He held my legs, and then he put the thing over my mouth. And after that, I don't know what he put inside me, but it was very painful, and after that is when the blood was running out, and I was pregnant with my baby.

I'm telling you the truth. It's not a lie I'm saying. I'm a woman. I'm a daughter of the land, and I'm a mother looking for a place for my children because we eat from the land. We raise our crops. We raise our food. But they wanted to take the best land away from us, and then they did this horrible thing to us.

Now it's very painful for me to tell the truth. Maybe you think that I'm afraid to answer your questions, but I'm not. Don't you feel some pain or would you not feel pain if it was your baby? They killed my baby right there in front of me, so I have to tell the truth.

THE INTERPRETER: I might clarify something. When I translated that as being naked, the way she described it is that it can be partially naked. I'm just clarifying that. I didn't mean to say that all her clothes were taken off.

MS. PRATT: Well, let's ask her what clothes they took off her.

THE WITNESS: They took everything off of me. I had nothing left on. They cut with a knife or something. They cut my strings that's holding my skirt and cut it wide open. There was just a little bit of my skirt that was left underneath me, and it was left all bloody.

381 Q. Did you have this miscarriage on the same night that you were raped at the second eviction?

It was like this evening is when it happened to me when I was raped, and then the next day in the morning is when I miscarried, and I lost my child.

392 Q. Was yours the only house which was destroyed on the second eviction?

When they came and they burned my house, they burned everything. They burned my clothes. They burned the children's clothes. They burned my things. And what really made the fire hot was that they poured gasoline on it, and it just burned up everything.

394 Q. Where did all of the people who live there stay that night after all their houses had been destroyed?

We didn't go anywhere because we stayed right there because the reason is we were trying to save a place for our children. We were trying to save a place for them, and so we stayed right there, and we spent the night right there. We were looking for a place for our children, and that's why we were -- we needed to stay there because even like you people right here, surely if you have children that you're thinking about where they're going to live and where you're going to find a place for your children. The same we were looking for a place for our children, so we couldn't just leave there.

438 Q. As a result of the rape which took place at the second eviction, what harm have you suffered to your body or to your mind?

This thing that happened to me is every day in the future. This thing will always be with me. The thing that happened to me, you think it will go away in one week or in one month or in one year? Every day and forever, I will feel the pain of my whole body of what happened to me. You think a woman can be happy or can be comfortable even in her body to even be able to sit down when something happened to her and she was treated like an animal and just treated like I was treated? I'm a woman, and every day I feel the shame and the pain of what happened to me. It passes over me. And then every day and every day in the future I can expect that this same feeling that is coming over me today here will always be coming over me, and I will feel it through my whole body and remembering what happened to me.

CARMELINA CAAL ICAL**(Excerpts from examination for discovery, November 10, 2017)**

246 Q. I want to talk about the second eviction. Please tell me everything that happened in as much detail as you can.

The second time when they got there, my house was fixed already. We were completely surprised. I was in my house when they got there. I didn't go running away this time. That's where they caught me and then I couldn't run away.

And they treated me like an animal. There was a lot of horrible things that they did to me. That's where they raped me. I didn't have any clothes on, at all. I was completely in their hands. I just -- I -- I just quit fighting. I didn't scream or yell. I just was at their mercy. I was just in their hands.

My children; I don't know where they went to hide themselves. At that time, I was in one huge, horrible pain when they did this to me. The pain was just overwhelming.

Don't you think that this man here - (indicating) - wouldn't feel some kind of pain if his wife was treated the way that I was treated? Here are a whole bunch of people in this room and I don't know who they are, but I want to tell you about the pain in my heart.

When the horrible thing happened, that painful thing, then I miscarried and I didn't see the little life that I was to have.

Didn't they think about what they were doing to us? Didn't they think about what was happening? Like this man across the room here, if this was happening to his wife, wouldn't she feel pain? Wouldn't he feel pain for her? I am not ashamed. I'm not afraid to tell my story. I'm looking you right in the eyes and telling you my story, the things that happened, my miscarriage, and I didn't come here beside this table to tell lies.

252 Q. What about your house?

They found me in my house and they pulled me away from the house. They drug me on the ground. What happened to me was something like an animal would be treated. And it was in the name of having the land. It's the land that gives me my food. And we're trying to find water and land where we can live. Don't you people need to drink water, so you can live?

I don't know you. You are a woman. I don't know your name, but what they did to me was horrible. The painful thing that happened was in the name of trying to have land that was fruitful, and I'm not leaving my place. That's how I eat, that's how I can live. And we were trying to find a place where we could get water. So don't you people have to drink water, too? Isn't that how you stay alive? It was in the name of trying to have a place to live and have water that we were there at this place and fighting for this.

268 Q. Were you afraid when you saw the police in the black/dark clothing come to your house?

Who would not be afraid? I was terrified at that time.

287 Q. And were you out in the open, in this place where they dragged you?

I was out there in the rain. I had nothing on. I had no clothing on. I really don't like to talk about it because it brings up all kinds of pain in my heart again. It was overwhelming, the pain -- and there's still an overwhelming pain in my heart. Does this gentleman, does he feel -- does he have any idea how much pain I have in my heart?

288 Q. So when you told me your husband came back later that evening and found you.

He found me. He asked me, 'What happened to you?'

289 Q. What did you tell him?

I told him that they raped me. He started crying over me.

291 Q. What did your husband do about the fact that you had been raped during this second eviction?

He picked me up and he tried to get something to wrap me in. I was naked. I was left very nasty.

297 Q. Where did you sleep that night?

We were out in the elements. We didn't have any place to get underneath and sleep. When the sun came up, we tried to ask ourselves if it is supposed to happen to people; that people do this, treating us like animals.

337 Q. Were you pregnant when you were raped during the second eviction?

I was pregnant. I have cried a lot because of that.

339 Q. How many days after the rape did she...?

Two weeks after I was raped is when I miscarried. And the pain has been with me ever since.

IRMA YOLANDA CHOC CAC**(Excerpts from Irma's examination for discovery, November 13 and 14, 2017)**

428 Q. I'm going to ask you now what happened on the second eviction, and I'd like you to please tell me in as much detail as you can what happened that day to you.

I will tell you the truth. I can't read, I can't write, but I will tell you what happened to me.

When they got there the second time, I was fixing my coffee. They asked me, "Where is your husband?" "Why do you want to know? What do you want with my husband? Why are you asking about him?" They keep asking me. "Where's your husband?" I told them that, "You should get out of here because this is not your place. This is not your kitchen to be in." And I asked them, "Am I like an animal that you're going to treat me like an animal? I know that [the] empresa sent you.

I'm getting ready to go outside when they grabbed me by my arm, and they grabbed my skirt. I'm upset already, but I'm in a lot of pain because of what was done to me as a woman.

And you, as a woman, would be upset too if this kind of thing would have happened to you. They grabbed me, and they threw me into the bushes. They took a knife and cut my skirt off, and they drug me out into the bushes. My poor children are following along with me.

They knocked me down and laid -- threw me down on my back in the bushes. They told me to keep quiet, not to say anything, not to cry out, and then they stuffed something in my mouth. Am I an animal that they have to stuff something in my mouth and treat me like this? I'm telling you, I'm telling every one of you around the table here that I am telling the truth.

My husband respected me and admired me, and he used the word that actually means worship too, but he really respected and cared about me. But these men had no respect. They had no care for me whatsoever. You asked a question about what happened, and we're trying to find out who is guilty here. I am here answering questions, but I'm not the one that went and did this. [The] empresa sent their men out to do this, and now here I have to go through this and answer these questions.

What is really painful for me is that I miscarried. I didn't see what my gift was that God had given me. I didn't see if it was a boy or girl. I lost it. It was discarded. It was thrown away, and I never did see what it was. One month after this happened to me is when I lost my baby. They treated me like a dog. I never did get to see my little child.

Right now, that child would already be growing up and be able to help out with things, would be help in [the fields] or help me around the house, and I never did see that child. I never will see that child. Now I have a disease that was left with me. I have a physical ailment that has stayed with me ever since. And what do you think you, as a woman, would do -- pointing across the table -- if ten men would have violated you?

429 Q. Would you like a moment?

These men -- somebody was okay with what they did. They were paid to come out and do this to us. They were paid to come out and violate us and rape us and do all of this horrible, terrible stuff to us. Somebody knew they were going to do it. Somebody paid them to come do this.

430 Q. Who were the men who you say violated you?

I said already yesterday who they were. I shouldn't have to tell you two times.

431 Q. What was the clothing that the men wore?

I already told you. If my husband would have gone and done something to this lady that's sitting at the table to my left and would have raped her, somebody would kill my husband. Nobody would have gotten by with that. But why did they send them to do this to us?

432 Q. Who are you talking about when you say they sent someone to do this to you?

The company, CGN.

453 Q. Okay. And when you use the term "rape," do you mean that they had sexual intercourse with you?

Yes. They're dogs. You can see.

460 Q. What happened to your house during the second eviction?

They cut the house down with a chain saw.

461 Q. And who cut the house down with the chain saw?

These here, the police and the ones with them.

IRMA YOLANDA CHOC QUIB
(Excerpts from Irma's testimony, November 14, 2017)

178 Q. As of the date of the second eviction, did you have a dwelling that had been built for you yet?

He was just getting it put back up again, my husband. And that's why I'm feeling really sorry right now. And it's because of them that right now I have this horrible pain in my body and in my heart.

179 Q. Did your dwelling yet have a roof?

I came here to tell the truth. I did not come here to tell lies. But my husband had already rebuilt our little house, a little place for us to live. And they came and cut it down and destroyed it again.

191 Q. What happened?

When they came that time, I was waiting for my husband to come home. They didn't let him even come home and into his family. That's where they grabbed me, and there I couldn't bear what was happening to me and what they were doing to me.

They raped me.

193 Q. And you mean by that they had physical sexual intercourse with you?

Yes. I had a little bit of cloth on me. I just had a half slip on because that's all I had left when they burned my house down.

194 Q. And did they take your slip off?

They took everything off. I didn't have anything left on me.

196 Q. The question was how many men do you say raped you?

I didn't count how many it was. They left me as dead in the dirt.

200 Q. So after this happened, as I understood you were -- I think I'm using the language that was translated -- you were left for dead in the dirt?

That's the way they left me. When I started trying to pick myself up and I looked down, I didn't even have my little half slip on.

203 Q. Where did they take your little girl?

I don't know because when they grabbed me, and they took my clothes off and raped me -- before it started, my little girl was beside me. I didn't see where she was during the time that they were raping me. But when it was finished and I got up, and I saw her wandering around outside looking for me, and she said, "Mama."

205 Q. After this happened, did they then burn your house?

Then they burned my house. They took a chain saw and cut it down.

206 Q. They didn't burn it?

They burned everything. I didn't even have my little piece of cloth that I was wearing. I didn't have my skirt that I had. I was left with nothing.

209 Q. Wasn't long after this happened that your husband found you; is that correct?

It wasn't long. I had just gotten back up on my feet, and my husband found me. And my husband, he loved me. He –

THE INTERPRETER: She used a word that literally is worshipped.

THE WITNESS: Or he really admired me. And then for him to see what they had done to me, it was just overwhelming.

210 Q. He could see that you'd been raped; is that correct?

No, he didn't. I didn't tell him right away.

211 Q. Well, you may not have told him right away, but couldn't he see it before his very eyes?

It was slowly that I had to tell him because I was sick. There was something wrong with me, physically wrong with me. There was something really bad, wrong with me, so I had to tell him. And it was really hard for him, and he said to me, he said, "You know, I am really pleased with you as my wife. You have been" -- he used a word again, "worship." "I worship or I admire you. I extremely admire you, and I don't understand why somebody would come and take what I admire and care for so much and would violate it." He asked a question. "Would these men want somebody to come to their house and do something like this to their wives if they admire their wives?"

214 Q. Am I right that your husband found you naked by your old house? Is that right?

When my husband found me, I had gotten that piece of cloth that they tore off of me, and I had kind of tied it around myself again.

231 Q. Is it fair to say he was very angry with the police and CGN for doing this to you?

He got very upset. Who wouldn't get upset? Because he's a man.

From that time when they did that, I have something -- I have a physical problem ever since, and something has entered inside me, and it is a fear. It's a terror, and it is a physical pain that I live with all the time. And when you look at me now -- when you look at me, do you think I look like a beautiful woman? I have no beauty anymore.

OLIVIA ASIG XOL**(Excerpts from Olivia's examination for discovery, November 16, 2017)**

435 Q. Okay. So then I want to move to the second eviction. And what I'm going to ask you to please do is to tell me in as much detail as you can what happened to you and to your village on that day.

I just am feeling a lot of pain from trying to remember this and talking about it. This brings up a lot of pain in my heart, thinking about it. They started coming around, circling around and they were shooting this smoke out, or they were throwing this smoke out. And my poor husband, he took off running. The men were running to try to get away from the smoke. And my poor husband, he fell down and a stick went into his leg. And my poor husband had a terrible, horrible, painful thing happen. And he was running off into the bushes to try to get away from these men and didn't see the stick or a stump of a tree, and that's where he fell down and it went into his leg.

And I don't understand why [the] empresa had to do all of this painful stuff to us, why they had to do this painful stuff to us and why my husband had to suffer so much. And so my husband, when he came back, I saw his leg was all messed up on one side. And while that was happening to my husband, all kinds of terrible things were happening to me, as well.

And then, the thing that they did to me as a woman, they found me in the bushes and that's where they started doing a horrible, painful thing to me. So they found me in the bushes and that's when they took my clothes off and then they started raping me. And I was left with this pain in my heart that is with me all the time. They started on me just like dogs would do to each other. And they had no value, no value that God would have put on my life. There was no value that they respected, at all.

It's just horrible, all of the things that we've had to go through just to try to have a place to live. It shouldn't have been us that were being chased out of that place. It shouldn't have been us that were being told to leave there because this had been our place from back when my parents were living there and we were the ones that were there first and we should not have been the ones that were being chased out of this place.

437 Q. So you said that some people found you in the bushes?

Yes. That's where the men found me.

438 Q. Right. And so why were you in the bushes?

I was trying to hide myself.

440 Q. And were you hiding by yourself?

My children were kind of hiding in different places. My husband had taken off, running.

When they were raping me, the children were hiding in the bushes.

447 Q. I just need to make sure that I understand that when you say that they raped you, you mean that they had sexual intercourse with you?

Yeah. They took their pants down and they raped me.

448 Q. Okay. And can you tell me how many men raped you?

So I'm down on the ground. I'm just seeing them come one after the other. There were -- there were eight of them that came and one after the other, they came. And I'm lying flat on my back.

449 Q. Okay. And did any of these men speak to you?

So no. The only thing they did, they took off all of my clothes and they took their dick and stuck it inside of me.

450 Q. What part of the day was it when these men came to your village on the second eviction?

It was in the evening. It's a very painful thing that they did to us. And we are poor people. It took our sweat that we're able to eat. And all we wanted was a little place, a little piece of land that we could live on and that we could raise our food to feed our children. I don't know what they were thinking, if they thought that coming and raping me and doing this to me and to do this to us, what they were thinking that this was going to solve or what they thought that was going to happen, that it was going to help anything. We have -- the way we are able to eat is because we sweat and we work and we eat with our fingers. We are not like rich people that we have a spoon that we can eat with a spoon. We eat with our fingers and all we wanted was a place to live and have some food.

LUISA CAAL CHUN**(Excerpts from Luisa's examination for discovery, November 16, 2017)**

94 Q. Okay. So can you please tell me, then, what happened during the second eviction?

Well, they raped me the second time they came there.

96 Q. Can you tell me a little bit more about the details of what happened to you?

They raped me.

97 Q. Who is "they"?

The ones that [the] empresa sent out there.

100 Q. Okay. And was there anyone dressed differently than the men in Exhibit 3 and 4 who raped you?

I wasn't out there just studying if there were different people, different groups of people. I just know I saw them.

101 Q. How many of these men raped you?

The ones that raped me, it was eight of them.

106 Q. Now, you said that they "grabbed" you. Did these rapes take place in your house or somewhere else?

They took me off down below my house, and there were some bushes there, like, right over there.

107 Q. Why didn't you run away when you saw these people in your village?

Where would I go? I was just terrified.

108 Q. Where were your children when the -- these men came and grabbed you and dragged you to the bushes?

They were crying out. They were crying out.

113 Q. And what about your house? Did anything happen to your house?

There was nothing left of my house. It was a little house there with the plastic on top, but nothing left of my house.

120 Q. And so, did the community get together again and decide what to do?

THE WITNESS: Yeah. I have a huge pain in my heart from the terrible, painful thing that they did to us, or did to me. So I don't know -- we had to do something because our children were out in the rain. We

didn't have a place to go. What were we supposed to do? What would you do? What would you ladies do if you had your children and you didn't have a place to go and didn't have a place to get out of the rain?

121 Q. So what did you decide to do, your village?

We know what we decided to do is, we're going to rebuild our house. So we got our sticks together and we got some thatch and we rebuilt our little house.

127 Q. And what was the "horrible thing" which had happened to Angelica?

So they -- in the middle of trying to help people, they killed him.

129 Q. Sorry. Who killed him? Who killed Angelica's husband?

The same ones, the CGN.

ELVIRA CHOC CHUB**(Excerpts from Elvira's examination for discovery, November 20, 2017)**

85 Q. Where are the clinics which pregnant women visit?

Well, for me, I can just say that when that happened to me, or when this terrible thing happened to me, I was pregnant at the time. So when this terrible thing happened, I was three days from my due date. So when the baby was born, it was born dead. When I was trying to run away from them at that time and I was trying to get away from them, I fell down, and that's where I injured the baby and that's where they grabbed me and caught me. So when the baby came, it never saw daylight. It was dead when it was born.

When they told me that I should go to a clinic or go to seek medical help, I told them, 'I just want to die here. I don't want to... I don't want to live. I don't need to go anywhere,' because of the terrible thing that the company and CGN did to me. When I tried to run away, I had the little child with -- the one that I have to hold his hand. So when I was trying to run away, I had my child's hand and I'm running away and my foot flipped on a rock and I fell down right there, and that's where they caught me and they violated me.

I was waiting for my baby to be born and I told my husband that, 'I don't know what we're going to do.' So I sent to have the midwife come and see me. I didn't feel good anymore and I could feel the baby inside, it was not moving anymore. So I told the midwife that, 'I am in a lot of pain and I think I'm dying.' So when the baby was born, it was blue, blue. It was ... It was dead when it was born.

242 Q. And when you rebuilt your house, it was on the same spot as where it was before the first eviction?

We built it again with metal roofing. And when they tore it down the second time, they took off with our roofing materials again.

243 Q. Okay.

And there was a really painful thing I remember with my children. It's really painful for me to think about this because my little boy, he went, there was one place that there was kind of a hole underneath on the side of the hill and he was able to go in there. And he went in that hole and that's where he hid himself and was hiding from them. And when I think about that, it just brings a lot of pain back in my heart.

245 Q. Okay. So let's -- I want to hear about the second eviction. Can you please tell me what happened during the second eviction?

I'm saying the things, like what I said earlier today. The second time it happened, it was at the same place, but I was even more pregnant then and it was almost time for me to have my baby. So when they came the second time, I took my children again and I'm leaving and I have the hand of one of them that I'm leading, my youngest one. My son, one of my sons, he hid himself underneath the hill, in the hole there, but I have the hand of my youngest one. And that's when I fell down there, slipped and fell down. And I was three days from my due date. So when it was three days before my due date when I was

trying to leave, and I slipped and fell down, and that's where they caught me and grabbed me. And so when that baby was born, it was all blue or green and it was dead.

Even to this day, I carry a pain in my heart all the time and I get tired. I am weary of carrying this pain in my heart all the time from that. It's like I have to let them do this all over again to me because when you're asking me these questions, I feel like I have to go back and relive that whole thing when I'm talking about it, the whole thing that happened with my children. And it's true. I'm not just making it up. It's a true story.

252 Q. And when you say that they "raped" you, do you mean that they each had sexual intercourse with you?

Yes. They put their pants down.

And I couldn't say anything because they had stuffed a cloth in my mouth.

So you saw what they did with me, that they pushed a piece of cloth in my mouth, so I just assume that they probably did the same thing to all of my fellow ladies, as well. So when my children saw when I fell down, they went and hid themselves. Afterwards, they started coming out and they went looking for me. They came and got me and they took my hand and they started trying to help me get up. I had to be carried to my house. I had to be carried back to where my house had been.

265 Q. You said that you went back after the second eviction to where your house used to be. What happened to your house during the second eviction?

We went there. We had about two yards of plastic that we had, that we would lay down and sleep on the ground before. So we had that little piece of plastic and we tied it back up over some sticks there.

THE WITNESS: They cut it with a chainsaw. All of the posts, they cut them off with a chainsaw.

Q. And you said you had some metal roofing, as I understood you earlier?

They took all of the metal roofing and then the posts were left...

THE INTERPRETER: She indicated about a foot out of the ground yet.

THE WITNESS: And they put fire to everything and burned it.

And when [they] could see where our house had been, my children said, 'Mama, where are we going to live? We don't have a house anymore.' And when my husband came back home and the only thing we had was a little piece of plastic that we had, so he tied it up. And so we just sheltered underneath that little bit that night, and then in the next morning, we woke up and looked at what we had. And my children were shivering from the cold at night. 'So are we just going to be like this? Are we going to stay here, Mama? Are you just going to stay here like this?'

So I had completely given up. I thought I was dying. I said, 'It doesn't matter if I die or my baby, both of us or just one of us,' but I had lost my desire to live. Is there anybody that can live through that pain?

Who can endure that kind of pain, the thing that they did to me? You don't even treat an animal like they treated me.

LUCIA CAAL CHUN

(Excerpts from Lucia's examination for discovery, November 24, 2017)

195 Q. Were there more than the number of people that you see in this room?

The way that I feel about all these questions that you're asking me, it's very painful to talk about. It's like going back and letting these men do all of this stuff to me again. And I'm not an animal that they should have treated me like that. I have a lot of pain because of what they did.

What did they think that they would get by treating me like that? What was their reason for doing that? Did they not even stop and think about what they were doing?

I have a lot of pain in my heart again because of what they did. And my poor children were out in the rain. They were out in the wind and the cold and didn't have food to eat. And to talk about this, it causes a lot of pain in my heart. My children didn't have any clothes, they didn't have any food, and we didn't have a place to stay at.

Why did they do this kind of thing? And just in the name of heaven, being able to live on what was considered our sacred soil, that they had to come and do this to us. And I don't know where I'm going to find relief from the pain in my heart. The only thing left in my heart is a lot of pain, and they destroyed my life.

THE WITNESS: They came and they raped me, and they did a terrible thing to me. And they treated me worse than you would treat an animal. And it was an overwhelming amount of pain that they did to me. They burnt my house down, everything I had in it. I was trying to fix some food. I was getting some food together for my little children and I guess they're the ones that ate it because my children didn't get anything to eat. And we had to go through this thing together. I had to go through this. My children had to suffer with me.

213 Q. And who is "they" who raped you?

The security for [the] empresa [the company]. And they had things over their faces, so you couldn't see who they were.

221 Q. Did the men who raped you say anything to you?

I don't know if they were saying, but what I do know is that they took a piece of cloth and stuck it in my mouth, so I couldn't say anything.

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