

## Solway Investment Group files defamation lawsuits against LeMonde

### Trying to silence reporting about its illegal, militarized mining operation in Mayan Q'eqchi' territories of Guatemala

<https://mailchi.mp/rightsaction/solway-investment-group-files-defamation-lawsuits-against-lemonde>

In response to investigative reporting by Forbidden Stories (<https://forbiddenstories.org/a-damning-photo-holds-a-swiss-russian-mine-accountable-in-guatemala/>) into Solway's mining operation in Guatemala (via its Guatemalan subsidiary company CGN-Guatemalan Nickel Company), Solway filed defamation lawsuits against the Le Monde newspaper in France.

### Forbidden Stories: A Damning Photo Holds A Swiss-Russian Mine Accountable In Guatemala

Over the past 16 years, as the CGN-operated mine was owned and illegally operated by Skye Resources and Hudbay Minerals of Canada (2004-2011), and then Solway (2011-present), Mayan Q'eqchi' campesinos and fisherpeople have been shot, killed, raped, evicted from their homes, illegally jailed, etc.

In May 2017, Carlos Maaz was shot dead during a protest against Solway/CGN's mining operation.



A local reporter, Carlos Choc, was criminalized for covering the story. (Forbidden Stories, an international consortium of journalists publishing in 30 media organizations around the world, joined forces to continue the reporter's work.)

- Interview with Carlos Choc about killing of Carlos Maaz:  
<https://www.youtube.com/watch?v=pZGKrGqeGKo>
- Forbidden Stories: <https://forbiddenstories.org/a-damning-photo-holds-a-swiss-russian-mine-accountable-in-guatemala/>

### **Defamation lawsuits**

In response, Solway filed defamation lawsuits against Le Monde, one of the media outlets that published stories.

From a Solway media release:

“October 3, 2019, Zug. The biggest Swiss investor in Guatemala Solway Investment Group, represented by Burguburu Blamoutier Charvet Gardel & Associés (BCG&A), has filed three complaints of public defamation with the Tribunal de Grande Instance in Paris against the newspaper Le Monde.

“On 19 June 2019, the newspaper Le Monde published on its website two articles by Annie Michel:

- “In Guatemala, the Deaths of Lake Izabal”,  
[https://www.lemonde.fr/international/article/2019/06/19/au-guatemala-les-morts-du-lac-izabal\\_5478665\\_3210.html](https://www.lemonde.fr/international/article/2019/06/19/au-guatemala-les-morts-du-lac-izabal_5478665_3210.html)
- “Carlos Choc, clandestine journalist in Guatemala: Here freedom has a price, and that’s the price I am paying”, [https://www.lemonde.fr/international/article/2019/06/19/carlos-choc-journaliste-clandestin-au-guatemala-ici-la-liberte-a-un-prix-et-c-est-le-prix-que-je-paie\\_5478666\\_3210.html](https://www.lemonde.fr/international/article/2019/06/19/carlos-choc-journaliste-clandestin-au-guatemala-ici-la-liberte-a-un-prix-et-c-est-le-prix-que-je-paie_5478666_3210.html).

“The next day, June 20, 2019, a third article was published by LeMonde:

- “From Switzerland to Guatemala, the organized opacity of the Solway mining group”,  
[https://www.lemonde.fr/international/article/2019/06/20/de-la-suisse-au-guatemala-l-opacite-organisee-du-groupe-minier-solway\\_5479336\\_3210.html](https://www.lemonde.fr/international/article/2019/06/20/de-la-suisse-au-guatemala-l-opacite-organisee-du-groupe-minier-solway_5479336_3210.html).

“[...] Various passages in the articles published by Le Monde contained extremely grave accusations against Solway Group and two of its subsidiaries. Solway considers all of these allegations and imputations to be neither vague nor general. All these contentious remarks are, moreover, seriously damaging to the reputation of the Solway Group, as they, in essence, accuse the Group of extreme attacks on the integrity of people working in its locations or those living nearby, as well as of voluntarily, consciously seeking to hide these morally reprehensible behaviors.

“Dan Bronstein, Chairman of the Board of Solway Investment Group said:

“[...]What we cannot tolerate is when this criticism is based on purposely misrepresented facts and manipulative assumptions. Since the early days of the investigation, we have been working with the Forbidden Stories team to provide them with explanations and factual evidence. Most media outlets came out with relatively balanced coverage, and we can certainly take their criticism into consideration to further perfect the Group’s performance.

“When the borderline is crossed, however, we can only go to court in the hope that our counterarguments will be heard and judged fairly. Solway’s primary responsibility is to promote and protect the health, safety and well-being of all its employees, contract staff, and members of Solway’s host communities. We regret that we have been forced into defending our reputation through legal institutions instead of building a bilateral, productive dialogue, but we cannot step aside when the Group’s reputation is under attack.”

- Full release: <https://solwaygroup.com/2019/10/03/solway-investment-group-files-three-defamation-civil-lawsuits-against-le-monde/>

### **Illegal operation**

Solway’s efforts to silence reporting about its mining operation in Guatemala comes even as the Constitutional Court of Guatemala has ordered the complete suspension of Solway/CGN’s mining activities in El Estor. The Court concluded that the mine had been operating without a proper license or environmental impact assessment since 2004 – through the ownerships of Skye Resources (2005-2008), Hudbay Minerals (2008-2011), to present day with Solway.

### **Militarized operation**

As of August 14, 2020, Solway/CGN continues to operate the mine, 24 hours a day, 7 days a week, supported by the military-backed government of Guatemala.

Dating back to 2004, when the mining operation was re-initiated by Skye Resources (a company incorporated by former INCO directors to continue with INCO’s mining interests), the operation - through Skye Resources, Hudbay Minerals, Solway Investment Group – has been protected and enforced by “security companies” controlled by military and ex-military personnel.

A report by the El Observador sets out the history of the Guatemalan military involvement over the past 15 years of mining in the Mayan Q’eqchi’ territories.

- “La militarización del proyecto minero Fénix de la Compañía Guatemalteca de Níquel (CGN) y Solway Group”, El Observador, August 13, 2020, <https://elobservadorgt.org/2020/08/14/boletin-enfoque-no-74-la-militarizacion-del-proyecto-minero-fenix-de-la-compania-guatemalteca-de-niquel-cgn-y-solway-group/>

### **Global business as usual: Mining corruption and repression in times of COVID19**

Even as the governments of rich, powerful countries like Switzerland and Canada implement broad measures to protect their populations from the harms of COVID19, these same governments turn a blind eye as their companies and investors operate harmfully – even corruptly and violently – in countries around the world, like Guatemala.

Not until the people and institutions (media, political, legal) of the rich, powerful countries hold their own governments, companies and investors fully accountable for the harms, violations and violence that derive in other countries from their policies and actions, will these local-to-global injustices end.

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## Write to Swiss government authorities

urging them to do all they can to secure the immediate suspension of Solway's illegal, militarized operation, and to secure full reparations for the harms, violations and violence that Solway/CGN have caused since 2011.

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