

Mynor Padilla, Hudbay Mineral’s Former Head of Security, Is Provided With Police “Security Detail” For Safety

(Mining Impunity Delegation, May 18, 2016, Alert #4)

<http://us9.campaign-archive2.com/?u=ea011209a243050dfb66dff59&id=0273bd0208>

A Guatemalan Judge ordered today (May 18, 2016) that a police security detail be provided for Mynor Padilla, Canadian-owned Hudbay Mineral’s former head of security who is on trial for the September 27, 2009 murder of Mayan Q’eqchi’ community leader Adolfo Ich and the shooting-paralyzing of German Chub, a young community member.

Yes, that is correct.

Padilla - in jail without bail because he was a fugitive from justice for three years after the crimes - and his lawyers (Carlos Rafael Pellecer Lopez, Frank Manuel Trujillo Aldana, David Antonio Barrientos) convinced Judge Ana Leticia Peña Ayala that Padilla’s personal security was at risk because he was “harassed” by people when entering the Puerto Barrios court house on May 17, 2016.

The “people” Padilla and his lawyers referred to were members of our Mining Impunity Delegation. As police escorted Padilla into the Puerto Barrios courtroom, at approximately 1:30pm on May 17, we were standing – some with cameras, some with notepads – to one side of the building’s entrance.



(Screen shot photos, Steven Schnoor, May 17, 2016)

At a given point Padilla walked calmly away from his police escorts and directly approached members of our group filming him.



(Mynor Padilla being escorted into court in Puerto Barrios, Izabal, Guatemala. May 17, 2016. Photo: James Rodriguez / MiMundo.org)



(Mynor Padilla walking towards Steven Schnoor outside the court in Puerto Barrios, Izabal, Guatemala. May 17, 2016. Photo: James Rodriguez / MiMundo.org)



(Screen shot photos, Steven Schnoor, May 17, 2016)

Watch 1 minute film clip (by Steven Schnoor): <https://youtu.be/pvzSGWkd1iU>

After Padilla entered the court building, we had no further interaction with him. This quiet and calm moment was the “harassment” as determined by Judge Ana Leticia Pena Ayala, which merited provided a detail of 8-9 police to provide security for Padilla.

“It makes me so angry that the Judge concludes that the man who murdered my husband is the one being threatened. His lawyers come to the trial with armed private security guards all the time; the CGN company [formerly owned by Hudbay] has had other armed men who have followed us at different times during the trial; there are police everywhere, always escorting [Padilla]; and we have no weapons at all and no security guards at all, ever ... and yet she determines that it is [Padilla] who needs police protection! How can I get justice?” (Angelica Choc, widow of Adolfo Ich)

This judicial order would be amusing, if it were not indicative of how corrupted, manipulated and racist the entire trial has been, a trial which – in many ways - is characteristic of much of Guatemala’s legal system and the application of the rule of law.

Mynor Padilla is former head of security for Hudbay Minerals [CGN]. He is on trial for the murder of well-known Indigenous rights, community and environmental defender Adolfo Ich and the shooting-paralyzing of German Chub. This repression took place took on September 27, 2009, in the community of La Union, that is next to mining company property on the edge of the town of El Estor.

Starting in 2005, right through to the killing of Adolfo Ich and shooting of German Chub, there were many case of Canadian mining company (Skye Resources, Hudbay Minerals) related repression in the El Estor region. The Mynor Padilla trial is the only case of mining repression in El Estor that is before the Guatemalan courts. Many believe this trial is advancing – stumbling, with numerous irregularities – only because there is an international spotlight on it due to the [precedent setting Hudbay Minerals civil lawsuits advancing in Canadian courts \(www.chocversushudbay.com\)](http://www.chocversushudbay.com).

This trial in Guatemala is completely separate from the Hudbay civil lawsuits in Canada, though some of the issues and incidents overlap. Hudbay has no direct or indirect legal liability in Guatemala for the crimes committed by Padilla and other former security guards, yet Hudbay is intervening directly in the criminal trial proceedings.

In 2015, Hudbay – which is represented by the Fasken Martineau law firm in the civil lawsuits in Canada - contracted [John Terry, a senior partner with the Tory’s law firm](#), to appear in the criminal trial in Guatemala and provide “expert testimony” concerning the civil lawsuits in Canada. Lawyers and human rights activists following the Padilla trial found Terry’s remarks to be misleading in a number of ways. It is also widely rumoured that Hudbay is paying for Padilla’s team of three high profile defense lawyers; Hudbay has not denied this, as far as we know.

“Wake up. Wake up, humanity. We are out of time.” – Berta Cáceres

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