

Canadian Mining Company HudBay Minerals Sued for Shootings, Murder and Gang-Rape in Guatemala

Canadian corporations may be held legally responsible in Canada for human rights abuse at their foreign mining projects

By [Global Research News](#)

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In a precedent-setting ruling with national and international implications, Superior Court of Ontario Justice Carole Brown has ruled that Canadian company Hudbay Minerals can potentially be held legally responsible in Canada for rapes and murder at a mining project formerly owned by Hudbay's subsidiary in Guatemala. As a result of Justice Brown's ruling, the claims of 13 Mayan Guatemalans will proceed to trial in Canadian courts.

"As a result of this ruling, Canadian mining corporations can no longer hide behind their legal corporate structure to abdicate responsibility for human rights abuses that take place at foreign mines under their control at various locations throughout the world," said Murray Klippenstein, lawyer for the 13 indigenous Mayans. "There will now be a trial regarding the abuses that were committed in Guatemala, and this trial will be in a courtroom in Canada, a few blocks from Hudbay's headquarters, exactly where it belongs. We would never tolerate these abuses in Canada, and Canadian companies should not be able to take advantage of broken-down or extremely weak legal systems in other countries to get away with them there."

Hudbay argued in court that corporate head offices could never be held responsible for harms at their subsidiaries, no matter how involved they were in on-the-ground operations. Justice Brown disagreed and concluded that "the actions as against Hudbay and HMI should not be dismissed."

"Today is a great day for me and all others who brought this lawsuit," said Angelica Choc, a plaintiff and widow of Adolfo Ich. "It means everything to us that we can now stand up to Hudbay in Canadian courts to seek justice for what happened to us." "This judgment should be a wake-up call for Canadian mining companies," said Cory Wanless, co-counsel for the Mayans along with Mr. Klippenstein. "It is the first time that a Canadian court has ruled that a claim can be made against a Canadian parent corporation for negligently failing to prevent human rights abuses at its foreign mining project. We fully expect that more claims like this one will be brought against Canadian mining companies until these kinds of abuses stop."

This is the second significant legal victory for the Mayan plaintiffs this year. In February, Hudbay abruptly dropped its argument that the lawsuit against it should be heard in Guatemala, not Canada, after fighting tooth and nail over this issue for over a year, forcing survivors of rape to travel to Toronto to endure extensive cross-examination and the legal team to spend countless hours compiling stacks of evidence, expert reports, and witness testimony.

For more information about the claims, see www.chocversushudbay.com.

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