

URGENT ACTION

VIOLENT REPRESSION OF MAPUCHE PEOPLES

On 10 and 11 January security forces violently repressed members of the Mapuche community of Cushamen in Chubut, Argentina.

On 10 January, over 200 Gendarme guards carried out a lockdown operation, closing off all the access points to the Indigenous land inhabited by the Mapuche community (Lof) Cushamen in southern Argentina. The local police also subsequently intervened.

On both occasions the community publicly reported the acts of violence and repression which they were subjected to, including beatings, use of batons, women having their hair pulled, and harassment of children in the community. The women and children reported that they tried to protect themselves within the main 'ruca house' (a traditional Mapuche communal house) but the gendarmes kept them locked in there before forcing their way in. Some of the statements reported that the children were terrified by the presence of the armed men, women were dragged across the ground, houses were destroyed and animals stolen and killed. At least 10 members of the community and their allies were also arrested.

On 10 January, in the context of conflict over the territory, federal judge Guido Otranto ordered "the removal and seizure of the physical blockades on the roads around the Old Patagonian Expressway known as 'La Trochita'..." The order was not to evict the community but to clear passage for the tourist train due to a blockade. However, there was no correlation between the order issued and the scale of the operation, and there was no effective judicial control over the deployment of the security forces, which led to the abuses and violence committed by these forces. On 11 January, this time with no judicial order whatsoever, the Chubut police force entered the territory once again and attacked the Mapuche community. Members of the community reported that the officers shot at them, leaving several people injured, some of whom were seriously injured. One of them has a shattered jaw and another has multiple skull fractures. Footage shows gunshot wounds which some women received at the hands of the police. The state must be held accountable for the ill-treatment and excessive use of force against men, women and children.

Please write immediately in Spanish or your own language:

- Calling on the authorities to carry out comprehensive and impartial investigations into the acts of violence on 10 and 11 January, to make the results public and bring those responsible for human rights violations to justice;
- Urging them to implement any measures necessary in order to guarantee the physical integrity of the Mapuche community of Cushamen, with their full participation;
- Calling on them to reach a definitive solution to the territorial claim of the Cushamen community.

PLEASE SEND APPEALS BEFORE 24 FEBRUARY 2017 TO:

Governor of Chubut Province

Mario Das Neves
Fontana 50 – Rawson
Provincia de Chubut, Argentina
Fax: +54 (0280) 4480206 /4480239
Email:
privada.gobernador@chubut.gov.ar
**Salutation: Dear Governor / Sr.
Gobernador**

Secretary for Human Rights and Cultural Pluralism of Argentina

Claudio Avruj
Av. del Libertador 8151 - C1429BNO.
Ciudad Autónoma de Buenos Aires,
Argentina
Fax: +54 (011) 5300-4000
Email: privadadh@derhuman.jus.gov.ar
Twitter: @clauavruj
**Salutation: Dear Secretary / Sr.
Secretario**

Minister of Security of Argentina

Patricia Bullrich
Gelly y Obes 2289
C1425EMA. Ciudad Autónoma de
Buenos Aires, Argentina
Fax: +54 (11) 4809-1656
Email: privadaum@minseg.gov.ar
**Salutation: Dear Minister / Sra.
Ministra**

And copies to: AI Argentina
Email: activismo@amnistia.org.ar

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY RENATO CARLOS SERSALE DI CERISANO, Embassy of the Argentine Republic, 65 Brook Street W1K 4AH, 020 7318 1300, Fax 020 7318 1301, Email info@argentine-embassy-uk.org www.argentine-embassy-uk.org

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

On 13 March 2015 a group of Indigenous peoples reclaimed an area of land in the department of Cushamen, near the city of Esquel, in Chubut province, Argentina. The Leleque ranch is on this land, owned by the multinational company Benetton, which owns around one million hectares of land in Argentine Patagonia. On the same day, the Argentine Southern Land Company (Compañía de Tierras del Sur Argentino), owned by the Benetton family, filed a complaint with the local justice authorities to initiate proceedings to investigate the possible usurpation of the land.

In 2016, Amnesty International and other organizations reported on the increasing environment of stigmatization and persecution of the Mapuche peoples: national authorities have labelled communities as “threats to social security” in reports (<https://amnistia.org.ar/la-lucha-indigena-no-es-delito-estigmatizacion-y-persecucion-al-pueblo-mapuche/>).

The existence of the Mapuche peoples predates the establishment of the state and this is recognized in the Argentine Constitution in article 75, section 17: in fact the oil and mining companies and the large ranches are the ones who have moved in – often by force – to community lands and dispossessed the communities of them.

Argentina, in both its constitution and other national regulations along with the ratification of several fundamental international instruments – such as International Labour Organization (ILO) Convention No. 169 – and the adoption of the UN Declaration on the Rights of Indigenous Peoples, has acknowledged the human rights of Indigenous Peoples: the right to territory and natural resources, the right to self-determination, the right to determine their own priorities for development and the right to respect for their customs.

Despite this, in practice, Indigenous people continue to face obstacles when claiming their rights, particularly in relation to control of their territories and natural resources. As the UN Special Rapporteur on the rights of Indigenous Peoples, James Anaya, reported following his visit to Argentina in 2012, although a significant number of laws and national and provincial programmes exist on Indigenous issues, “a significant gap remains between the established regulatory framework on Indigenous issues and its actual implementation”.

The Argentine National Gendarmerie is a security force ‘of a military nature’ which reports to the federal government and carries out its mission and functions in the context of domestic security and national defence, and provides support in foreign affairs. International law states that governments should, in their domestic legal systems, draw a clear distinction between national defence as the function of the armed forces, and citizen security as a function of the police. Functions related to the prevention, deterrence and lawful suppression of violence and crime are the sole responsibility of the police, under the oversight of the legitimate authorities of a democratic government.

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