

URGENT ACTION

COURT RULES IN FAVOUR OF INDIGENOUS FAMILIES

An Argentinean court has ordered that any attempts to evict the Quilmes Indigenous community of Colalao del Valle must be suspended. This decision protects four indigenous families from imminent forced eviction from their homes in the northern Argentinean province of Tucumán.

On 5 August 2011 a Provincial Civil and Commercial Court ordered that any attempts to evict the Quilmes Indigenous community of Colalao del Valle must cease until proceedings which aim to determine the ownership of the property that they inhabit are concluded. Currently around 30 people, including 10 children, live on four hectares of land. The community and a company both claim ownership of the land.

The Court based its decision on Argentinean Law 26,160 which established a blanket ban on evictions of Indigenous communities from 23 November 2006 to 23 November 2013 while a nationwide survey is carried out to define Indigenous territories. This is the first time this law has been invoked by a court deciding on this community's case.

The community has been living under the constant threat of an imminent forced eviction following a judge's decision on 30 May to reject the request by the community to stop an eviction order against the families. Members of the community were evicted on 17 September 2009 and 5 January 2010. On both occasions they reoccupied the land days later. Police officers accompanied by a local judge tried to evict them for a third time on 29 April 2011, but the community resisted the eviction. Several community members and police officers were wounded in the clashes.

We thank you all for your participation. No further action is required.

This is the first update of UA 163/11. Further information: <http://www.amnesty.org/en/library/info/AMR13/001/2011/en>

Name: Quilmes Indigenous community

Gender m/f: both

Further information on UA: 163/11 Index: AMR 13/003/2011 Issue Date: 19 August 2011