

URGENT ACTION

TWO CHILDREN ATTACKED BY ARMED MEN

The son and grandson of Félix Díaz, the leader of the Toba Qom indigenous community of La Primavera, Argentina, were attacked by men with guns on 8 November. The men work for a landowner who disputes the community's claims over land.

The boys, aged 11 and 17, were bike riding along a rural path near to the national highway 86 (*Ruta Nacional 86*) on 8 November. They cycled near to the property of the man who claims ownership of the land that the Toba Qom indigenous community claim as their ancestral territory. As the children cycled past, two men came out of the property, and shot at them with guns. The two boys identified the two gunmen as security guards who work for the landowner. The shots missed the boys and no one was injured. Since the attack the boys are too scared to leave their houses because they are afraid of further attacks. Members of the community were initially prevented from filing a complaint with local police as the police officer they spoke to was apparently related to the landowner and did not want to receive the complaint. They finally managed to file the complaint over the attack.

This incident comes a few weeks after one of Felix Diaz's son's houses was burned down along with the house of another community member. It is not clear how these fires were started. These attacks occur almost a year after a violent police operation took place to forcibly evict members of the Toba Qom indigenous community from ground that they were occupying in protest against the construction of a university on land they claim as ancestral territory. At least one community member and one police officer were shot dead during these events in November 2010.

Last April the Inter-American Commission on Human Rights urged the Argentinean authorities to implement necessary measures to enable Felix Diaz and his family to "return to the community under safe conditions". In May the national government reached an agreement with the Toba Qom Indigenous community to guarantee their safety. However, the threats and acts of harassment against his family have continued despite all these measures.

Please write immediately in Spanish, English or your own language:

- Call on the authorities to carry out a full and impartial investigation into the attack on the boys;
- Urge the authorities to comply with the precautionary measures issued by the Inter-American Commission on Human Rights to guarantee the safety of the Toba Qom indigenous community of La Primavera.
- Urge them to ensure those responsible for the deaths and threats in November 2010 are brought to justice.
- Calling on authorities to urgently solve the land claim of La Primavera and other Indigenous People in Formosa and in Argentina, so they can live on their ancestral lands without fear of attack or illegal eviction.
- Call on them to fully comply with the UN Declaration on the Rights of Indigenous Peoples and the International Labour Organization's Convention 169 and to enshrine in national law the rights of Indigenous Peoples to their ancestral lands and establish mechanisms whereby these rights can be recognized and exercised with their full participation.

PLEASE SEND APPEALS BEFORE 23 DECEMBER 2011 TO:

Ministro del Interior
Cdr. Aníbal Florencio Randazzo
Ministerio del Interior
25 de Mayo 101/145
C1002ABC - Buenos Aires,
Argentina
Fax: +54 11 4346 1584
Email: info@mininterior.gov.ar

Salutation: Estimado Sr. Ministro

Gobernador de Formosa
Dr. Gildo Insfrán
Belgrano N° 878 - Casa de
Gobierno - Formosa (3600)
Fax: +54 3717 430872
Email: gobernador@formosa.gov.ar
Salutation: Estimado Sr. Gobernador

And copies to local NGO:
Centro de Estudios Legales y Sociales (CELS)
Piedras 547. 1 piso. C1070AAK
Buenos Aires
Argentina

Also send copies to diplomatic representatives accredited to your country.

Check with your section office if sending appeals after the above date. This is the first update of UA 245/10. Further information: www.amnesty.org/en/library/info/AMR13/006/2010/en

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ADDITIONAL INFORMATION

Indigenous community leader Félix Diaz and his family have been facing several threats by members of a non indigenous family (criollo) who claim ownership of land that Toba Qom indigenous community members consider their traditional land.

Toba Qom indigenous community members, including Félix Diaz, also oppose the construction of the National University Institute by the Government of Formosa Province on land the community claim as part of their ancestral territory. On 23 November 2010, police violently dispersed a roadblock by members of the community leaving one community member and one police officer dead. Police also burned temporary housing built by the community. In July, video footage was made public about the violent police operation of 23 November 2010. So far no one has been brought to justice for these events.

Members of the community travelled to the capital to camp in protest in the centre of Buenos Aires. After weeks of protest they reached an agreement with the national government to start a dialogue to achieve a resolution to their land claim. They consequently left their camp and went back to their community. However at the time of writing no significant advances were reported.

Name: two boys

Gender m/f: both male

Further information on UA: 245/10 Index: 13/005/2011 Issue Date: 11 November 2011