

URGENT ACTION

33 PEOPLE CRIMINALIZED FOR PROTESTING IN ARGENTINA

A violent police operation during protests on 12 June resulted in 33 people being arbitrarily detained and charged with several offences, including attacks on constitutional order and democratic life. We urge the prosecutor to immediately drop the charges against them.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

To the National Prosecutor for Criminal and Correctional Matters No. 4
Dr. Carlos Stornelli

Email: fiscrf4-nac@mpf.gov.ar

Dear Mr. Prosecutor,

I am writing to express my deep concern about the criminalization of 33 people who peacefully demonstrated against the widely known "Ley de Bases" in Buenos Aires on 12 June. Among those detained were university students, street vendors, and human rights defenders.

Evidence from public sources revealed that the operation included the unlawful use of "less lethal" weapons, such as chemical irritants and rubber bullets, resulting in many people being unnecessarily injured and needing medical care. Amnesty International also documented the cases of Santiago Adano, Juan Ignacio Spinetto and Camila Juárez Oliva, all of whom were detained after, or even before, taking part in the demonstrations, which could constitute arbitrary detention. Despite 28 people being released, I am alarmed that criminalization continues for the whole group.

Violent actions by some protesters do not deprive others of their right of peaceful assembly and freedom of expression. I respectfully remind you of your obligation to conduct your proceedings according to international human rights law and standards to avoid the unlawful use of the criminal code as a reprisal for dissent.

I also fear the chilling effect that these cases can have on the freedom of expression of Argentinian society in a context where critics and divergence of opinion have been publicly targeted by the highest authorities in the country.

Given the international and national obligations of the Argentine State to respect, protect, and guarantee the right to freedom of expression and the right of public assembly of all persons, I request that you urgently drop the charges against the 33 detained for protesting on 12 June and that those still in prison are released immediately.

Best regards to you,

[NAME]

ADDITIONAL INFORMATION

Since the new government took office in Argentina in December 2023, large-scale demonstrations have erupted protesting against fiscal cuts and the undermining of human rights. Against this backdrop, some very concerning regulations have been implemented criminalizing protesters and permitting the unlawful use of force against them. At the same time, several protests have taken place in which the police violently repressed demonstrators with unnecessary and excessive use of force.

In addition, the authorities are openly advocating further repression and discouraging the exercise of protest by reinforcing the idea that protesting should be criminalized. On 12 June, 2024, while the Argentinean Senate was discussing the draft of the law "Ley Bases", social, political and trade union organizations gathered in the vicinity of the Congress of the Nation to oppose the bill, exercising their right to protest.

The state response to this large demonstration followed the implementation of the recent "Protocol for the maintenance of public order in the event of roadblocks" ("the Protocol") issued by the Ministry of Security of the Nation and published on 12 December 2023. The Federal Police, the Naval Prefecture ("Prefectura Naval"), the National Gendarmerie and the Police of the City of Buenos Aires participated in the operation. The operation was characterized by the unlawful use of less lethal weapons (chemical irritants, tonfas, rubber bullets, water cannon, which caused unwarranted injuries to demonstrators), arbitrary arrests and attacks against press workers. It also included the presence of numerous water cannon trucks and motorized and infantry forces, fencing in all the surroundings of the National Congress. Police officers without uniforms and members of Prefectura Naval carrying firearms were observed in the area.

In this context, 33 people were arbitrarily detained, according to their lawyers and civil society organizations. Amnesty International documented the cases of Santiago Adano, Camila Juárez Oliva and Juan Ignacio Spinetto. Santiago Adano is a 38-year-old musician, Camila is a 33-year-old college student, and Juan Ignacio Spinetto is a 44-year-old lawyer and teacher. All three of them were arrested and charged with attacks on constitutional order and democratic life, among ten other crimes. Santiago and Camila did not even have the chance to participate in the demonstrations. He was coming out of the subway entrance when he was arrested while she was arrested ten blocks away from the gathering. Juan was arrested in San Telmo, more than three kilometers from the demonstration, when he was returning home to escape the repression.

Santiago was released on Friday, however the criminal proceedings against him continue. Camila and Juan continued to be detained along with 14 other people who were denied release without sufficient justification, until 18 June. Five people remain in custody.

All of them were accused of the crimes of public intimidation (art. 211 criminal law), incitement to collective violence (art. 212 criminal law), crimes against the public authorities and the constitutional order (art. 226 criminal law), attempt and resistance to authority (art. 237 and 239 criminal law) and disturbance of order in sessions of legislative bodies (art. 241 criminal law), among other charges. The Minister of Security and the President of the Nation publicly affirmed that the protest was a form of coup d'état and that the detainees are "terrorists". Charges continue to be pressed against the 33 individuals.

PREFERRED LANGUAGE TO ADDRESS TARGET: Spanish

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 14 August 2024

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: They/them.

LINK TO PREVIOUS UA: n/a