

# URGENT ACTION

## INDIGENOUS PEOPLE SHOT AT AND HOUSES BURNED

**On 23 November, police violently dispersed a roadblock by members of the Toba Qom indigenous community of La Primavera, in Northern-East Argentina, leaving two people dead and several injured. Police also burned temporary housing built by the community.**

Around 100 members of the **Toba Qom indigenous community** have been blocking national highway (*Ruta Nacional*) 86 for 4 months claiming for their land and. in protest against construction of the National University Institute by the Government of Formosa Province on land the community claim as part of their ancestral territory. According to the community, between 400 and 500 heavily armed police officers demanded that they move out of the road, without showing an eviction order (*orden de desalojo*). The community refused to leave and were forcibly evicted by police.

During the eviction, at least one community member and one police officer were shot dead and at least five community members are in a serious condition in hospital. All temporary houses built by the communities alongside the highway were burned by the police. Around 30 community members were detained, including children. They have all been released except for Eugenio Fernandez, a young community member, who remains in detention. Felix Diaz, the leader of the community, was personally threatened by officers and called an "agitator".

Earlier on the same day, five members of a non-indigenous (*criollo*) family who claim property on the same piece of land arrived on horses, carrying arms. They were accompanied by around 18 police officers. When Felix Diaz approached them, they shot at him twice, missing both times. Coming to his aid, other members of the community threw stones at the horses to make them bolt. The family left, firing shots in the air. Terrified community members confronted the police who did nothing to protect them. According to members of the community, police officers told them "you deserve it; you have been looking for trouble" ("*se lo tenian merecodp, ustedes se lo buscaron*").

### PLEASE WRITE IMMEDIATELY in Spanish or your own language:

- Demanding that Felix Diaz and the Toba Indigenous Community of La Primavera are provided with the protection they need, according to their wishes
- 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.
- Calling on them to order a full and impartial investigation into the killings and threats, and bring those responsible to justice.
- Calling on them to comply fully with the UN Declaration on the Indigenous Peoples and the International Labour Organization's Convention 169 and enshrine in law Indigenous People's rights to their ancestral lands and establish mechanisms whereby these rights can be recognized and exercised with their full participation.

### PLEASE SEND APPEALS BEFORE 7 JANUARY 2010 TO:

Julio Cesar Alak  
Ministerio Ministerio de Justicia,  
Seguridad y Derechos Humanos  
Presidencia de la Nación  
Sarmiento 329 - C1041AAG Ciudad  
Autónoma de Buenos Aires  
Email: [privada@jus.gov.ar](mailto:privada@jus.gov.ar)  
**Salutation: Estimado Sr Ministro**

Dr. Gildo Insfrán  
Gobernador de Formosa  
Belgrano N° 878 - Casa de Gobierno -  
Formosa (3600)  
Tel: +54 3717 4 26000/1  
Fax: +54-3717-430872  
Email: [gobernador@formosa.gov.ar](mailto:gobernador@formosa.gov.ar)  
**Salutation:**  
**Estimado Sr. Gobernador**

**And copies to:**  
Hermanas de la Caridad,  
Barrio 15 Viviendas, Casa Numero 3,  
Calle Nicolas Avellaneda  
LAGUNA NAINECH, 3611,  
Formosa, Argentina;  
Tel: +54 3718/ 49 10 62,  
E-mail: [paolagiolo@clorinda-fsa.com.ar](mailto:paolagiolo@clorinda-fsa.com.ar)

**Also send copies to diplomatic representatives accredited to your country.** Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

La Primavera community has been claiming the land alongside the National Highway 84 as part of their ancestral territory for years. The community claim that during the blockade, no state officials tried to start a dialogue or a negotiation with them, nor were their claims heard. Instead, the government is trying to go ahead with their plans to build a University Institute on the land, despite a precautionary measure the community secured against those plans and the fact that the ownership of the land is disputed.

This attitude is part of a pattern Amnesty International has been documenting in Formosa, where the state is failing to comply with its obligation to hold consultations and to seek free, prior and informed consent from indigenous communities before undertaking any development plan that may affect them. Authorities have also failed to solve land disputes and respect indigenous communities' right to their ancestral territories. In Formosa, the government refuses to engage in constructive dialogue with indigenous communities and instead imposes development and other plans on them without their consent. There have been also serious allegations of harassment and attempts of co-opting community leaders and their legal representatives to dissuade them from continuing with their claims

UA: 245/10 Index: AMR 13/006/2010 Issue Date: 26 November 2010

