

URGENT ACTION

VIOLENT POLICE OPERATION CAPTURED ON VIDEO

New evidence about the violent police operation of 23 November 2010 to evict members of the Toba Qom indigenous community of La Primavera, Argentina, has come to light.

Video footage has recently been made public about the events of 23 November 2010, when police violently dispersed a roadblock by members of the Toba Qom indigenous community of La Primavera, in the North-Eastern province of Formosa, Argentina. They were protesting the construction of a university on land they claim as ancestral territory and were forcibly evicted. At least one community member and one police officer were shot dead and at least five community members were hospitalized with serious injuries during the eviction.

Images from the video that was recorded by a police officer present at the events of 23 November 2010 were shown earlier this month on Argentinean television and online. This is a potentially important development, as more than seven months after the police operation of 23 November 2010 there has been little visible progress in the judicial investigations. The Toba Qom indigenous community plans to submit the video to the prosecutors investigating the incident as new evidence in the case.

Earlier this year, the Governor of Formosa province wrote to Amnesty International stating: "Regarding the facts that happened on 23 of November, it is not true that the Police acted the illegal way you describe, because they were following the request of a judge from the Provincial Justice, who was even present at the time those terrible events took place" and "(...) these events are being analyzed by the Justice, which counts with all the necessary information and means to judge those who are responsible for these sad incidents".

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

- Call on the authorities to carry out a full and impartial investigation into the events of 23 November 2010, and bring those responsible to justice;
- Urge them to urgently resolve the land claim of the Toba Qom indigenous community 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 comply fully 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, establishing mechanisms whereby these rights can be recognized and exercised with their full participation.

PLEASE SEND APPEALS BEFORE 6 SEPTEMBER 2011 TO:

Julio Cesar Alak
Ministro Ministerio de Justicia,
Seguridad y Derechos Humanos
Presidencia de la Nación
Sarmiento 329 - C1041AAG Ciudad
Autónoma de Buenos Aires
Email: 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
Salutation:
Estimado Sr. Gobernador

And copies to:
Hermanas de la Caridad, 3611
LAGUNA NAINTECH Formosa),
Argentina;
Tel: +54 3718/ 49 10 62,
E-mail: paolagiolo@clorinda-fsa.com.ar

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

Around 100 members of the Toba Qom indigenous community blocked national highway (*Ruta Nacional*) 86 for 4 months in protest at the construction of a university by the Formosa provincial authorities on land the community claim as 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. Police also burned temporary housing built by the community.

In April 2011, the Inter-American Commission on Human Rights (IACHR) issued precautionary measures urging the Argentinean State to protect members of the community of La Primavera against "possible threats, attacks, or acts of harassment on the part of members of the police, law enforcement officers, or other State agents, as well as to implement any necessary measures so that Félix Díaz and his family can return to the community under safe conditions."

In May following demonstrations by the community and supported by national and international organizations and public figures, the national government reached an agreement with the Toba Qom Indigenous community to guarantee their safety and facilitate a resolution of the conflict between the local authorities in the province of Formosa and the community. Negotiations between the provincial authorities and the community are ongoing.

Watch the video at: http://www.youtube.com/watch?feature=player_embedded&v=1g6LdUUsh64

Name:

Gender m/f:

Further information on UA: 245/10 Index: AMR 13/002/2011 Issue Date: 26 July 2011