

Open letter: International organizations call on Argentinian authorities to end the criminalization of environmental defenders in Chubut organized in defence of water and against large-scale mining.

On April 22, a court in the south-central province of Chubut, Argentina handed down sentences to six environmental defenders who [participated](#) in the 2021 *Chubutazo* – a powerful province-wide protest that successfully derailed government attempts to impose a zoning bill to allow industrial mining in the central plateau of the province. Eight defenders in total were on trial (of the 24 initially criminalized), facing charges over a period of four years on various counts. The proceedings were marked by a lack of evidence, during which time the defenders were stigmatized, harassed, and were painted as violent individuals and even [terrorists](#). Judge Eva Ponce acquitted two of the defendants and found six people criminally responsible for arson, theft, and aggravated damage, sentencing them to between one and six years in prison.

One of the eight died by suicide the day before the verdict announcing his acquittal.

For decades, the Union of Assemblies of Communities of Chubut, Argentina (UACCh) and the Mapuche Tehuelche Indigenous communities have been organizing to oppose mining in the province of Chubut, specifically against the Navidad mining project owned by the Canadian company Pan American Silver. Resistance to industrial mining began in the town of Esquel located in the Chubut mountain range, when more than 81% of local residents voted in a 2003 referendum against a gold mining project. Awareness and resistance spread throughout the province, and along with it, strong opposition to the Navidad project. However, in spite of this opposition and existing environmental legislation banning the use of cyanide in open-pit mining operations – effectively making the Navidad project unviable for years – Pan American Silver acquired the project in 2010.

On December 15, 2021, the provincial legislature of Chubut passed a law to allow open-pit mining in certain areas of the province, essentially giving the green light to Pan American Silver's La Navidad project. Thousands of people across Chubut – including those organized through the UACCh, trade unions, neighbourhood organizations, and Indigenous peoples – immediately took to the streets. Among other demands, they denounced [the efforts by the Canadian company](#) to change local legislation, undermining people's self-determination in the face of large scale mining. On December 21, six days after its approval and following massive protests and displays of collective power, the law was overturned unanimously. The very same legislature that passed this zoning bill for mining was forced to repeal it following the popular revolution known as the "Chubutazo."

The defense lawyers emphasize that the case against the eight citizens [lacks evidence](#) and the sentences sought by the prosecution are wildly disproportionate to the crimes. The trial was marred by a [lack of transparency](#) and public access to the proceedings. Environmental and [human rights](#) organizations in Chubut warn that the charges are [politically-motivated](#) as the province looks to expand mining activities, including uranium mining, and is cracking down on protest to dissuade the communities that are not yet organized from joining in protests. The judicial system chose eight scapegoats to target, when in fact the “Chubutazo” was a genuine popular revolution – one that, for six days, successfully shut down the province and forced the political powers to back down in the face of a strong mining lobby (accused of many things, including [bribery](#)).

In this particular “Chubutazo” case, five people have been convicted of theft and one person of arson. The evidence consists of photos taken by undercover police officers that place them at the protests, but without committing any crime. At the same time, the actions of security forces accused of using excessive violence against protesters during the *Chubutazo* have not been investigated, despite the more than 50 complaints filed. Worse still, according to the Environmental Lawyers Association and the Collective for Ecosocial Justice (Asociación de Abogados y Abogadas Ambientalistas y el Colectivo de Acción por la Justicia Ecosocial - CAJE), some police officers were decorated. Amnesty International Argentina [reported](#) at the time, “excessive force was used by the security forces against the protesters [and] seven people were arrested and more than 30 were injured.”

This raises even more questions about the judicial process and whether the real motivation of the provincial government of Chubut – colluding between the legislative and judicial branches – is to silence, stigmatize, persecute, and disempower people who seek to protect water and speak out against large-scale mining.

At the same time, these legal proceedings against the six citizens are part of a broader context of criminalization targeting environmental defenders throughout the province, illustrated by two other court cases. In one, five environmental defenders and grassroots journalists are being prosecuted for their peaceful participation in a May 2021 roadblock after the provincial legislature [rejected](#) the “[Second Popular Initiative](#),” which, with more than 20,000 signatures, sought to stop the Mining Zoning Law. In another case, [six people are facing charges](#) related to threats and violence for questioning members of Chubut’s provincial parliament about the province’s adherence to the *Incentive Regime for Large Investments* (RIGI in Spanish) – a regime that promotes massive investment in large-scale extractive projects like mining with few if any environmental protections. Under this regime, projects will continue to receive the benefits of RIGI “[even if they pollute rivers, soil, and aquifers, destroy glaciers or cause the extinction of a species](#).”

The undersigned organizations stand in solidarity with all the citizens and environmental defenders criminalized for protesting large-scale mining and **urge Argentinian authorities to end the criminalization of social protest in Chubut, respect the due process, and drop the politically-motivated charges against the six citizens who were sentenced on April 22. We call on Chubut authorities to respect the demands of the people of Chubut**, who are exercising their constitutional right to organize and demonstrate peacefully. We also urge the provincial government to comply with the Escazú Agreement and uphold the separation of powers in the province of Chubut, which is the foundation of democracy and the rule of law.

Canada has an obligation under international law to protect human rights. We therefore call on the Canadian government, through its embassy in Buenos Aires, to implement the “Voices at Risk: Canada's Guidelines on Support for Human Rights Defenders” and to publicly express its support for the rights of the criminalized environmental defenders.

#ProtestIsNotACrime

Signatories,

Argentina

1. Union of Community Assemblies of Chubut (UACCh)
2. Autoconvocadas Área 12
3. Asamblea de Vecinos No a la Mina Esquel
4. Asamblea Ambiental de Punta del Indio
5. Centro Cultural La Panadería de Morón
6. Radio Comunitaria de Punta del Indio
7. Educación Popular Comodoro
8. Asamblea Rawson Playa
9. Asamblea Permanente por los Derechos Humanos - APDH
10. Asamblea Maipucina por el Agua
11. Foro Infancia Robada Comodoro Rivadavia
12. Vecinos x el ambiente Punilla
13. Comisión Contra La Impunidad y por la Justicia
14. Asociación Civil Moreno por la Memoria
15. Asamblea por necesidad y urgencia Mendoza
16. Asociación Civil por la Memoria y los DDHH
17. APCA Neuquen
18. Asamblea por el agua Comodoro Rivadavia
19. Reserva Natural La Amanda
20. Asamblea Rawson playa Chubut

21. Unión de asamblea de comunidades Trelew chubut
22. Coordinadora Socioambiental Bahía Blanca
23. Movimiento Antinuclear del Chubut (MACH)
24. Vecinos Unidos por el Puma (La Falda, Córdoba)
25. Asamblea popular por el agua
26. Comunidad por el Biocorredor Arroyo Las Catonas
27. APDH REGIONAL RÍO CUARTO
28. SERPAJ
29. Feministas Antiextractivistas del Sur
30. Asamblea Fiambalá Despierta
31. La Otra Casa Itinerante- Rosario
32. Asamblea Ambiental Santa María- Punilla-Cordoba
33. Centro comunitario Yakacuah
34. Coordinadora Plurinacional Basta de Falsas Soluciones
35. Después de la Deriva
36. Red Ecosocialista
37. Asociación Sindical de Empleados, Obreros, Técnicos y Profesionales de Ecología y Saneamiento Ambiental de la República Argentina (ASEOTPESARA)
38. Colectiva Plurinacional de Abya Yala SMA
39. FESPROSA
40. Las Catas, grupa transfeminista
41. Propuesta Sur
42. Marcha Plurinacional de los Barbijos
43. Multisectorial Paren de Fumigarnos-Santa Fe
44. Asamblea por la vida Chilecito y colectiva de mujeres defensoras del agua del Famatina
45. Junta Interna ATE INCAA
46. Multisectorial golfo San Matías
47. Asamblea vecinal autovonvocada Yo amo a mis sierras
48. Agüita pura para San Juan
49. Asamblea Agua Pura Valle Fértil
50. iLPS Capitulo Aegentina
51. Cuidadores de la Casa Común
52. Asamblea Jáchal No Se Toca
53. Comision Ejecutiva Suteba Bahía Blanca
54. Hermanos de la Tierra
55. Palabras a Cielo Abierto
56. Foro Ambiental Traslasierra
57. Rebelión o Extinción Argentina

58. Grupo Ciencias, Ambientes y Territorios
59. Campaña Plurinacional en Defensa del Agua para la Vida
60. SanCa Sostenible
61. Coordinadora BFS
62. Centro Cultural y Biblioteca San Juan
63. Comunidad indígena Amaicha del Valle
64. Red Puna y Quebreda de jujuy
65. Diálogo 2000-Jubileo Sur

Germany

66. Rettet den Regenwald

Bolivia

67. TerraJusta

Brazil

68. Movimento Nacional de Direitos Humanos
69. MST

Canada

70. Canadian Network for Corporate Accountability (CNCA)
71. Americas Policy Group (APG)
72. Common Frontiers
73. MiningWatch Canadá
74. Codevelopment Canada
75. Mining Justice Action Committee
76. Victoria Peace Coalition
77. Grandmothers Advocacy Network
78. Comité pour les droits humains en Amérique Latine
79. Mining Injustice Solidarity Network
80. Victoria Central America Support Committee
81. ICHRP-Canada International Coalition for Human Rights in the Philippines
82. Mining Justice Alliance
83. Friends of the Earth Canada
84. Maquila Solidarity Network
85. Atlantic Regional Solidarity Network
86. Centre international de solidarité ouvrière (CISO)/ International Center for Workers Solidarity

Chile

87. Corporación Parque Para Penco
88. Corporación de Promoción y Defensa de los Derechos del Pueblo, CODEPU-Chile
89. Observatorio Latinoamericano de Conflictos Ambientales OLCA

El Salvador

90. Comisión de Derechos Humanos de El Salvador

Uruguay

91. Comisión Nacional en Defensa del agua y la vida

92. Asamblea Pachamama

Ecuador

93. Acción Ecológica

94. Instituto de Estudios Ecologistas

95. Comisión Ecuémica de Derechos Humanos

96. Fundación INREDH

97. Asociación Flor de Caña

United States

98. WITNESS

99. Earthworks

100. Institute for Policy Studies - Global Economy Program

Spain

101. Salva la Selva

Guatemala

102. Parlamento del Pueblo Xinka

103. Network in Solidarity with the People of Guatemala (NISGUA)

Haiti

104. OBSERVA: Observatory of Violence and Resilience in Haiti (HT-Obs)

Honduras

105. Centro de Investigación y Promoción de los Derechos Humanos CIPRODEH

Mexico

106. Seguridad de Resguardo Territorial Indígena (SERTI)

107. Liga Mexicana por la Defensa de los Derechos Humanos, Limeddh

Panama

108. Colectivo Voces Ecológicas COVEC

109. Fundación para el Desarrollo Integral, Comunitario y Conservación de Ecosistemas en Panamá (FUNDICCEP)

110. Red Nacional en Defensa del Agua-Panamá

Balkans

111. Earth Thrive

Peru

112. Centro de Políticas Públicas y Derechos Humanos- Peru EQUIDAD

113. Asociación Pro Derechos Humanos APRODEH

114. CEDAL-Centro de Derechos y Desarrollo (Perú)

Venezuela

115. Programa Venezolano de Educación Acción en Derechos Humanos (Provea)