



**Warning: Increase in Assaults and Criminalization of Women Defenders of Territory
Collaborative Initiative Women, Territory, and the Environment
Urgent Action Fund for Latin America and the Caribbean
October 4th, 2016**

The undersigned organizations and activists from Honduras, Guatemala, El Salvador, Mexico, Colombia, Ecuador, Peru, Chile, Bolivia, Uruguay, Paraguay y Argentina, participants in the Initiative Women, Territory and the Environment, convened by the **Urgent Action Fund for Latin America and the Caribbean**; as well as Latin America women's funds and feminists, express our solidarity and profound concern for the recent physical assaults against **Máxima Acuña Chaupe** in **Peru**, the 2016 Goldman Prize winner; and the upsurge in criminalization of the ancestral Mapuche authorities, **Lonko Juana Calfunao** and **Machi Francisca Linconao**, in the Araucanía area, **Chile**.

Our warning points to persistent assaults and the systematic use of criminalization by State and business actors to thwart indigenous women's struggles to defend their rights and the collective lands of their peoples, confronted by the imposition of development projects. In these three cases, the **agency and complicity** of States in the violations is evident, as is the **lack of compliance with Precautionary Measures** granted by the Inter-American Commission on Human Rights, and the **alarming impunity** surrounding the perpetrators of these assaults. Far from being an exception, such incidents constitute a tendency on the rise in the region.

Despite having been granted Precautionary Measures by the IACHR in May, 2014, **Máxima Acuña Chaupe** and her family have been subjected to multiple violations by the **Yanacocha** mining company, including harassment, threats, physical violence, and the destruction of belongings and crops; in addition to the criminalization of the defender herself. On September 18th, 80 company workers, illegally entered the family's property in Tragadero Grande, destroying crops and physically attacking Máxima, tearing her clothing and wounding her in the chest, head, arms and legs with blows and cuts. Her husband was also wounded, and pursued in order to grab his camera as he attempted to register the attack. Despite the cruelty of their behavior, the Yanacocha Company published false information on its web site, arguing the action constituted 'peaceful possessory defense'¹.

The Machi - spiritual authority- Francisca Linconao is a defender of the collective rights and ancestral territory of the Mapuche people, in the face of industrial forestry activity in the Araucanía region in **Chile**. Achieving the first application in the country in 2008 of ILO Convention 169 established an historic precedent when the Palermo Society Ltda. was denounced for destroying sacred places in their lof (community). Currently, her life is at **extreme risk**, due to the accelerated deterioration of her physical and emotional health and the lack of contact with nature and her medicinal plants, while she completes an **unjust preventative prison sentence** in Temuco.

The Machi was violently detained in March, 2016, and linked to the case of arson which took the lives of the Luchsinger-Mackay couple in January, 2013. Despite having been absolved in this case at the time, today she confronts charges of **terrorism, life imprisonment** being requested. The accusation against her- the sole proof being testimony obtained under threat and torture- is, by any measure, illegal and a violation of the Inter-American Convention on Human Rights and ILO Convention 169. It is being sustained under the 18314 Anti-Terrorist Law, which has been widely questioned for its lack of compliance with minimum standards of due process and for violating the right to social protest.

In the same region, **the Lonko- political authority- Juana Calfunao-**, who has defended Mapuche territory in the face of highway construction (Los Laureles - Lago Colico), has been subjected, on several occasions, to threats,

¹ See: YANACocha EXERCISED A NEW PEACEFUL POSSESSORY DEFENSE: : <http://www.yanacocha.com/yanacocha-ejercicio-nueva-defensa-posesoria-pacifica/>

harassment, detention, destruction of property and her residence, and physical and sexual violence during her detainment. Despite having been granted IACHR Precautionary Measures, on September 15th, 2016, she was once again detained in Cunco. The Lonko Juana was quickly freed; however we warn about the permanent risk for her life and that of her family, as well as the impunity surrounding these violations.

In consideration of these incidents, we demand that the States of Chile and Peru:

- Immediately adopt concrete measures to guarantee the lives and personal integrity of the defenders Machi Francisco Linconao, Máxima Acuña, and Juana Calfunao, and their families, in compliance with Precautionary Measures granted by the IACHR.
- Investigate and sanction the material and intellectual authors of the multiple violations perpetrated against them.
- **Grant immediate and definitive freedom for Machi Francisca Linconao** and award compensation corresponding to damages caused during her successive periods of detention.
- Comply with ILO Convention 169 guaranteeing rights to land, autonomy, and the participation of indigenous peoples, and forbid implementation of development projects that threaten them.
- Demand accountability and apply sanctions to companies and their agents which consistently threaten human rights and the collective rights of indigenous peoples.
- Provide a secure and appropriate environment for the defense of women's and environmental rights; abstain from criminalizing women defenders, sanctioning functionaries involved in such practices.

We urge regional and international human rights protection bodies to:

- Intervene urgently and demand that States respect women defenders' human rights, comply with Precautionary Measures, and end impunity in these, and all, cases of violations in the region.
- We especially urge the IACHR to grant Precautionary Measures for the **Machi Francisca Linconao**.

To civil society:

We appeal to human rights, environmental, women's, and feminist organizations in America Latina to persist in their denouncement and documentation of all violences against women defenders of territory, and to strengthen articulation and solidarity in order to guarantee their lives and integrity.

(Unofficial translation of organizational names to English by the author).

Urgent Action Fund for Latin America and the Caribbean (UAF-LA)

Association for Women in Development- AWID

International Institute on Law and Society-IILS

Red de Apoyo a la Machi Francisca Linconao (*Machi Francisca Linconao Support Network*)

Central American Women's Fund- FCAM (*Spanish acronym*)

Fondo de Mujeres del Sur (*Women's Fund of the South*)

Fondo de Mujeres Bolivia- Apthapi Jopueti (*Bolivian Women's Fund- Apthapi Jopueti*)

Sociedad Mexicana Pro- derechos de la Mujer- Semillas- México (*Mexican Association for Women's Rights-Seeds*)

Fundación Colectivo Alquimia Fondo para mujeres FONDO ALQUIMIA- Chile (*Collective Foundation Alchemy Fund for Women- Chile*)

Fondo Lunaria- Colombia (*Lunaria Fund-Colombia*)

Enlace Continental de Mujeres Indígenas de las Américas- ECMIA

Red Latinoamericana de Mujeres Defensoras de Derechos Sociales y Ambientales (*Latin American Network of Women Defenders of Social and Environmental Rights*)

Unión Latinoamericana de Mujeres- ULAM (*Latin American Women's Union*)

Organización Fraternal Negra Hondureña OFRANEH- Honduras (*Honduran Black Peoples' Fraternal Organization*)

Organización La Esperanza de Mujeres Garífunas de Honduras OLAMUGAH- Honduras

Red de Sanadoras Ancestrales del Feminismo Comunitario – Guatemala (*Network of Ancestral Healers of Comunitarian Feminism- Guatemala*)

Asociación de Mujeres Aq'ab'al- Guatemala

Organización de Mujeres Mamá Maquín- Guatemala

Red Nacional de Mujeres en Defensa de la Madre Tierra - RENAMAT Bolivia (*National Women's Network in Defense of Mother Earth- Bolivia*)

Colectivo de Coordinación de Acciones Socio Ambientales CASA- Bolivia (*Collective for the Coordination of Socio-Environmental Action- Bolivia*)

Coordinadora Nacional de Organizaciones de Mujeres Trabajadoras Rurales CONAMURI – Paraguay (*National Coordination of Organizations of Rural Working Women- Paraguay*)

Consejo Nacional de la Mujer Indígena CONAMI- Argentina (*National Council of Indigenous Women- Argentina*)

RAP-AL – Uruguay

Red de Mujeres de Condega- Nicaragua (*Women's Network of Condega- Nicaragua*)

Joven Siglo XXI- Nicaragua

Mujeres Ambientalistas del Sur- Nicaragua

Mujeres Ambientalistas de Metapán Luz y Esperanza- El Salvador

Colectivo por la Autonomía- México (*Collective for Autonomy- Mexico*)

Frente de Mujeres Defensoras de la Pachamama – Ecuador (*Front of Women Defenders of the Pachamama- Ecuador*)

Movimiento Ríos Vivos- Colombia

Escuela Mujer y Minería CENSAT Agua Viva – Colombia (*School on Women and Mining, CENSAT-Agua Viva- Colombia*)

Mujeres del Común- Colombia (*Women of the Commons- Colombia*)

Movimiento Social en Defensa de los Ríos Sogamoso y Chucuri- Colombia (*Movement in Defense of the Sogamoso and Chucurí Rivers- Santander, Colombia*)

Fuerza de Mujeres Wayuú- Colombia (*Wayuú Women's Strength – Guajira, Colombia*)

Familiares de Presos/as Políticos/as Mapuche Lafkenche- Chile (*Relatives of Lafkenche Mapuche Political Prisoners- Chile*)

Mujeres Defensoras del Río Pilmaiken – Chile (*Women Defenders of the Pilmaiken River- Chile*)

Madres de Itzaingó Línea Fundadora – Argentina (*Founding Members of the Mothers of Itzaingó- Argentina*)

Organización Nacional de Mujeres Indígenas Andinas y Amazónicas del Perú – ONAMIAP- Perú (*National Organization of Andean and Amazon Indigenous Women of Peru*)

FEMUCARINAP – Perú (*National Federation of Peasant, Artisan, Indigenous, Native and Salaried Women of Peru*)

Asociación de Mujeres Aq'Ab'Al' – Guatemala (*Aq'Ab'Al Women's Association – Huehuetenango- Guatemala*)