

13 February 2019

Argentina: Ongoing judicial process against Mapuche WHRD Moira Millán

On 21 February 2019, the hearing of the indigenous woman human rights defender (WHRD) **Moira Millán** is scheduled to take place. She was charged with “aggravated coercion” after organising a peaceful protest in September 2017 at the Esquel Federal Tribunal. The protest sought accountability for alleged human rights violations perpetrated by State authorities against individuals from Mapuche indigenous communities during house raids in September 2017. The raids, which were authorised by a federal judge, were part of an investigation into the disappearance of activist [Santiago Maldonado](#).

[Moira Ivana Millán](#) is a woman, Mapuche and weychafe human rights defender. For more than twenty years, she has worked to protect and defend the indigenous territories and women’s rights of the thirty-six indigenous nations that live in Argentina. She is the founder and coordinator of the Movimiento de Mujeres Indígenas por el Buen Vivir (Indigenous Women’s Movement for Good Living), which organises visibility campaigns and calls for justice for violations committed against indigenous peoples. Due to her work in defence of human rights, Moira Millán has been the target of death threats, attacks and judicial harassment.

On 20 September 2017, Moira Millán accompanied members of the Vuelta del Río Mapuche community to the Federal Tribunal of Esquel. They sought to present complaints and to protest the house raids, as well as human rights violations they had endured at the hands of the Gendarmería in Vuelta del Río on 18 September 2017. The protesters also called for the immediate resignation of federal judge, Guido Otranto, who had authorised the raids, and who is believed by the victims to have sanctioned the manner in which they were carried out, resulting in human rights violations. During the protest, approximately twenty victims presented their complaints to the authorities.

The house raids carried out by the Gendarmería on 18 September 2017 were authorised as part of the investigation into the disappearance of Santiago Maldonado, a human rights defender who was found dead in October 2017 following his disappearance on 1 August 2017. According to reports from local human rights defenders, during the house raids the Gendarmería beat indigenous people and intentionally humiliated them.

On 26 June 2018, Moira Millán was notified that she had been charged with “aggravated coercion” by the Federal Prosecutor of Esquel (Fiscalía Federal de Esquel) for her prominent role in the protests. She was the only person charged.

At the first hearing on 19 September 2018, Moira Millán was brought before the Tribunal, where she reaffirmed her innocence. She was acquitted of all charges by Judge Gustavo Lleral (who replaced Judge Guido Otranto on the investigations at the request of Santiago Maldonado’s family).

The prosecution appealed the decision, claiming they would be able to produce new evidence. They are expected to provide this evidence at the upcoming hearing on 21 February 2019. If found guilty, Moira Millán may be sentenced to between 2 and 4 years in prison.

Front Line Defenders condemns the criminalisation of Moira Millán. Front Line Defenders believes this case is an effort to suppress her role as a women's rights and indigenous peoples' rights defender. Front Line Defenders further expresses concern for the treatment of Mapuche indigenous peoples by Argentinian authorities, given the discrimination and neglect that Mapuche communities in Argentina suffer.

Front Line Defenders urges the authorities in Argentina to:

1. Immediately withdraw all charges against Moira Millán;
2. Take all necessary measures to guarantee the physical and psychological integrity and security of Moira Millán, her family members, and all Mapuche indigenous groups, in coordination with them;
3. Carry out an immediate, thorough and impartial investigation into the alleged attacks and human rights violations perpetrated by state forces against the Vuelta del Río Mapuche community, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
4. Guarantee in all circumstances that all human rights defenders in Argentina are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.