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Argentina: Criminalisation against two water defenders of the Assembly of Self-convened Neighbours of Uspallata

Since 24 February 2025, environmental human rights defenders **Federico Soria** and **Mauricio Cornejo** have been persecuted and criminalised due to their participation, along with community members in Uspallata (Mendoza), in defending bodies of water in the region. The defenders are accused of being part of a group dedicated to ideological coercion through fear and terror, based on an article in the Criminal Code of Argentina, incorporated during the military dictatorship (1976-1983), which has never been applied in the Mendoza province before. These acts of persecution are occurring alongside the implementation of the San Jorge Mining Project in the area.

[Federico Soria](#) and [Mauricio Cornejo](#) are environmental human rights defenders and members of the Assembly of Self-convened Neighbours of Uspallata, a citizen movement organised to face the installation of the San Jorge Mining Project and its negative impact on the ecosystem and population of Uspallata. Since 1990, Federico Soria has worked to promote the defence of the environment, water and territories by producing informative bibliographic material on the ecosystem of the Andes mountain range. He has also authored numerous laws to create Natural Protected Areas and environmental regulations, being one of the spokespersons of the popular initiative of creating the Uspallata-Polvaredas Natural Protected Area. In addition to the work as part of the Assembly, Mauricio Cornejo is an independent trader from Uspallata dedicated to the exhibition and sale of handicrafts and regional products, promoting a meeting place and a space for cultural activities between tourists and the local community.

The district of Uspallata is located in the province of Mendoza and is crossed by the Mendoza River and the San Alberto and Uspallata streams. The San Alberto stream provides water to the population and crops of the Uspallata Valley before it joins the Mendoza River. Since 2008, when the first mining company showed interest in extracting resources in the area, the Assembly of Self-convened Neighbours of Uspallata has expressed its concern over the potential pollution of this water source, one of the most important of the Andes mountain. But for the past 17 years, there have been continuous attempts to implement the San Jorge Project in Uspallata despite the local people's permanent opposition.

The San Jorge Project belongs to the mining and metallurgical company Solway Investment Group, whose headquarters are in Switzerland. The company has had a [negative record in Guatemala](#) with the Fénix mining project, which was reported for environmental damages and a lack of compliance with consultation processes with the impacted community. The government of Mendoza and the Chamber of Mining Suppliers of Uspallata publicly support the project. The project continues to progress due to a continued easing and relaxation of rules and processes related to environmental licensing and tax incentive policies for mega-projects, launched by the current national government of Argentinian President Javier Milei.

The accusations have come within the context of a conflict on 24 January this year, during a spontaneous citizen protest that occurred at the inauguration act of a Chamber of Mining Suppliers of Uspallata, between community members of Uspallata and businessmen in the Chamber. The incident ended with three protestors committing violent acts, who were then identified in flagrante and detained, and are currently in pre-trial release. While some members of the Assembly of Self-convened Neighbours of Uspallata spontaneously joined the protest, the citizens involved in the organisation of the act and in the violent incident are not members of the Assembly nor are they environmental activists.

The Assembly of Neighbours organised a protest on 25 January, the day after the inauguration act, during which no violent incidents occurred and the Assembly exercised their legitimate right to protest in a peaceful manner. A month later, on 24 February 2025, the Prosecutor's Office of the province of Mendoza ordered the preventive detention of human rights defenders Federico Soria and Mauricio Cornejo, accusing them of belonging to a group engaged in ideological coercion and the crime of aggravated coercive threats, stipulated in articles 149 and 213 bis. of the Argentine Criminal Code. The defenders were unjustly linked to the trial involving the citizens arrested during the protest on 24 January, without any links to the violence that took place. The two defenders are the only ones facing pre-trial detention orders, despite not having committed any violent acts, being included in the process for being members of the environmental collective. The Prosecutor's Office accuses the Assembly of Self-convened Neighbours of Uspallata of being a "group aimed at imposing its anti-mining ideas" and is holding the defenders responsible for isolated acts of violence committed by third parties in a protest that was not organised by the Assembly.

During the same day, on 24 February 2025, Mauricio Cornejo was detained in the Judicial Office, where he remained until 18 March and was subsequently placed under house arrest. During those 23 days in detention, he was denied access to medical treatment for a motorbike accident he suffered days before his arrest. Federico Soria has not presented himself before the authorities. The hearing on jurisdictional control to decide on the freedom of both defenders is scheduled for 31 March 2025.

The application of article 213 bis. of the Criminal Code has been questioned by civil society organisations as well as the defence lawyers working on the case, as it allows for interpretations which criminalise groups and social movements that demand the respect of human rights, such as the Assembly of Self-convened Neighbours of Uspallata. This legislation originates from the dictatorial period in Argentina and imposes a sentence of three to eight years' imprisonment on anyone who "organises or takes part in permanent or temporary groups [...] whose main or accessory purpose is to impose their ideas or combat those of others by force or fear, solely because they are members of the association". The defence lawyers of the case have reported that the use of the legislation has generated a fear amongst other members of the Assembly of Neighbours, as this article of the Criminal Code could allow for any of them to be eventually criminalised.

Front Line Defenders expresses its concern over the persecution and criminalisation that environmental human rights defenders Federico Soria and Mauricio Cornejo face. The organisation considers these attacks to be a reprisal for their work in protecting the ecosystem and well-being of the population of Uspallata. Front Line Defenders warns that the undue use of criminal law has become a common practice against those who legitimately exercise their rights to protest and show opposition to extractive projects, which can generate negative impacts in the environmental landscape and quality of life. Front Line Defenders fears this case could have a chilling effect on human rights defenders working against mining or other extractive projects, and could affect their capacity to freely exercise their right to demonstrate and denounce the negative impacts of projects on their territory without fear of reprisals or judicial harassment.

Front Line Defenders calls on the Argentinian authorities to:

1. Drop all charges against human rights defenders Federico Soria and Mauricio Cornejo, as it is believed that they are solely motivated by their environmental activism, notably their involvement and activities within the Assembly of Self-convened Neighbours of Uspallata and;
2. Take necessary measures to ensure the safety and physical and psychological integrity of human rights defenders Federico Soria and Mauricio Cornejo;
3. Immediately cease from using of the criminal system as a tool to persecute and criminalise environmental human rights defenders;

4. Respect international standards regarding pre-trial detention, established by the Inter-American Court of Human Rights;
5. Respect standards established in the Escazú Agreement, ratified in Argentina since 2021, on transparency and citizen participation in environmental matters, including the right to peaceful protest;
6. Take all measures to ensure that all human rights defenders in Argentina are able to conduct their legitimate activities in the defence of human rights without facing undue restrictions and fear of harassment, threats or retaliation, including judicial harassment.

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