



INTERNATIONAL COMMISSION OF JURISTS

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"Protecting and promoting human rights through the Rule of Law"

PRESS RELEASE

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Lithium exploitation in Northern Argentina violates indigenous people's rights – ICJ

Geneva, Switzerland – The International Commission of Jurists (ICJ) is calling on the State of Argentina to take effective measures to protect the human rights of indigenous groups, which have been adversely impacted by lithium exploration and exploitation.

ICJ is concerned by the situation of 33 communities of the Subcuenca and Laguna de Guayatayoc, in the Salinas Grandes (Northern Argentina) and helped them draw the attention of UN human rights mechanisms to their case. Representatives of the communities allege that the authorities have denied them the right to be consulted on the use of resources on their territories. This right is guaranteed by the International Labour Organization Convention 169 and contained in the United Nations Declaration on the Rights of Indigenous Peoples.

The indigenous communities also fear for the status of their ancestral lands, which they say lack legal protection. They have organized themselves in an association to defend their rights and have brought a case to the Supreme Court of Argentina, requesting that the Court prescribes interim measures to immediately stop any exploration activities. The decision of the Court is pending.

Meanwhile, the ICJ says initial exploration activities by private companies are already damaging the salt flats and surrounding highly fragile natural environment, including the water tables and freshwater resources, which the indigenous groups depend on for their livelihoods and cultural and economic well-being.

“There is a law in Argentina that should serve to fairly regulate the demarcation, possession and collective ownership of lands traditionally occupied by indigenous communities, but it has not been fully implemented,” said Sandra Ratjen, ICJ Senior Legal Advisor on Economic, Social and Cultural Rights. “The State must now ensure the finalization of land demarcation, as required by the law, and speed up the process of granting collective land titles to indigenous people.”

Both the UN Committee on Economic, Social and Cultural Rights and the UN Special Rapporteur on the rights of indigenous peoples have urged Argentina to fulfil its constitutional and international legal obligations and to respect and protect the rights of the communities in the Salinas Grandes.

“The ICJ can only applaud the UN recommendations,” Ratjen added. “We trust that these interventions will encourage the initiation of a meaningful dialogue between the State and the indigenous communities, leading to full consultations with these communities and their effective control in relation to any economic development or other activities on their traditional lands.”

Lithium is a metal used in several industrial applications, such as batteries and heat-resistant glass. It has been declared a “strategic resource” in Argentina.

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About ICJ

Composed of 60 eminent judges and lawyers from all regions of the world, the International Commission of Jurists promotes and protects human rights through the Rule of Law, by using its unique legal expertise to develop and strengthen national and international justice systems. Established in 1952 and active on the five continents, the ICJ aims to ensure the progressive development and effective implementation of international human rights and international humanitarian law; secure the realization of civil, cultural, economic, political and social rights; safeguard the separation of powers; and guarantee the independence of the judiciary and legal profession.