

# ARGENTINE MOVEMENT DEMANDS EXONERATION OF CONVICTED OIL WORKERS

February 17, 2014

Four Argentine oil workers were convicted last December 12 of having killed a policeman in the midst of a strike and a demonstration demanding the release of a jailed union member. The four—Ramón Cortez, José Rosale, Franco Padilla, and Hugo González—were sentenced to life in prison, while six other defendants were each sentenced to five years in prison on charges of coercion. Now a movement of human rights activists, labor unionists, university professors and students, cultural workers, political parties and elected officials from city and state government to congresspersons is demanding their release, arguing that they were “falsely convicted.”

Daniel Ximénez of the Labor Studies Workshop (Taller de Estudios Laborales -TEL) in Buenos Aires, Argentina who is working in the movement to exonerate them calls their conviction a “tremendous injustice.”

“They were sentenced to severe punishment for a crime they didn’t commit. And the most serious thing is that they were convicted in a case constructed by the prosecutors on the basis of torture, threats, and lies—without any evidence. They are being punished in order to intimidate the workers of our country,” said Ximénez.

The case began in 2006 during a strike at Las Heras against a new income that would affect workers’ wages and against out-sourcing. During the weeks-long strike a union leader was arrested and his coworkers and family members went to the jail where he was being held to seek his release. The police then attacked those who had come to the jail and in the melee a police officer was shot and killed. Prosecutors subsequently brought indictments against a number of oil workers, ultimately convicting ten. There is much speculation about how the police officer might have been killed, though no other indictments have been made.

Oswaldo Bayer, the famous journalist and screenplay writer, said of the case, “The people of Argentina are living through one of the greatest historic injustices, that of the oil worker comrades of Las Heras. This case is comparable to many of the crimes committed by the military dictatorships we lived through in past years.” Bayer compared the Argentine oil workers to the “martyrs of Chicago,” that is the seven workers convicted and four hanged in Chicago during the struggle for the eight-hour day in the 1880s. The Chicago workers were convicted of having set off a bomb in the Chicago Haymarket leading to a riot in 1886 in which seven policemen and four workers were killed, though no evidence linking them directly to the crime was ever presented.

Speaking of the oil workers of La Heras, Ximénez said, “The prosecution was never able to present evidence against the accused, but they acknowledged that the police had used torture in the interrogations in an attempt to get the evidence they wanted. False witnesses were also forced to testify under threat, but they later complained to the judges that their testimony had been coerced and proclaimed the innocence of the accused. For these reasons the initial judgment was annulled, though it was later upheld upon appeal to the provincial government.”

Hundreds of Argentines from federal legislators and top union officials to human rights activists and artists have signed a petition calling for the exoneration of the ten workers who have been jailed in

the case. The movement is seeking international support. [See petition below.]

## **PETITION**

### **EXONERATION FOR THE WORKERS OF LAS HERAS**

We, the undersigned, repudiate the unjust conviction handed down by the tribunal of Caleta Olivia on December 12, 2013 in the case of nine petroleum workers of Las Heras, Santa Cruz province (Argentina), of whom four were sentenced to life imprisonment—one of them being a minor at the time dealt with under a special legal system; one was condemned to five years in prison on a charge of violent coercion and being an accessory; and finally four were sentenced to five years in prison for coercion.

The workers were condemned without any proof and with grave violations of human rights, for the murder of officer Sayago, which occurred in a town in that area in 2006 when they demonstrated to oppose a tax on earnings and for better working conditions.

**We the undersigned demand the exoneration of the workers, given that this conviction was fabricated out of falsehoods.**

During the course of the trial and the arguments, the defense attorneys for the petroleum workers, who were constantly threatened and sanctioned by the court, demonstrated the innocence of the workers, against whom no evidence had been brought. **The only thing that was demonstrated was the torture, humiliation, and threats suffered by the oil workers at the hands of the provincial police during the three years that the workers were detained, an action more appropriate to a military dictatorship than to a democracy.**

We denounce the court that went forward with this trial and then convicted the defendants based on torture. Mr. Candia, one of the prosecutors, acknowledged this, saying that he didn't consider a blow to the head and a couple of slaps to be torture. We are dealing here with a verdict fabricated in order to convict the workers, plagued with human rights violations, such as the brutal torture to which the victims were subjected during their detention, as well as the constant threats against their families.

Human rights organizations, labor unions, social movements and political parties have denounced the trial and have taken their case to the National Secretary of Human Rights, asking the Secretary to carry out an investigation of the trial.

These harsh verdicts represent one of the gravest attacks on workers who have come out to fight for their rights since 1983 at the end of the military dictatorship. The purpose of this verdict is to make an example of the workers so that workers will not confront the oil companies and the large employers. In this way, it sets a very grave precedent, namely that the courts uphold convictions based on testimony obtained through torture.

The conviction of the workers did not lead to their immediate imprisonment, which cannot be carried out until the sentence is finalized; meanwhile, we will use this time to achieve real justice, which means the exoneration of our comrades. At the beginning of February, the case was appealed, and if that appeal is not successful, the case will be taken to the provincial Supreme Court in the city of Río Gallegos in the Province of Santa Cruz.

**Therefore we demand:**

**Immediate and unconditional exoneration for the petroleum workers of Las Heras.**

Those who wish to sign this petition should send their name and organization to either the committee working for exoneration at [absoluciontrabajadoreslasheras@gmail.com](mailto:absoluciontrabajadoreslasheras@gmail.com) or to [tel@tel.org.ar](mailto:tel@tel.org.ar).

**Signatures:**

Adolfo Pérez Esquivel, winner of the Nobel Peace Prize

Osvaldo Bayer, writer and journalist

Nora Cortiñas, Madres de Plaza de Mayo-Línea Fundadora

Mirta Acuña de Baravalle, Madres de Plaza de Mayo-Línea Fundadora

Elia Espen, Madres de Plaza de Mayo

Graciela Rosenblum, Presidenta Liga Argentina por los Derechos del Hombre

and many others...

The complete list of endorsers can be found at: <http://tel.org.ar/spip/spip.php?article261>.