two years ago, environmentalists were celebrating a major
case in northern Argentina’s El Impenetrable, the dry forest so
named by explorers for its aridity, its dense, thorny vegetation,
and its indomitable indigenous communities.

Part of the Gran Chaco, a one million-square-kilometer
(386,000-sq-mile) subtropical lowland that encompasses portions
of Argentina, Paraguay, Bolivia and Brazil, El Impenetrable over
the years has been the focus of relentless growth in logging, both
legal and illegal. That’s why green advocates enthusiastically trum-
peted that news in October 2014 that a campaign had nearly been
completed to create El Impenetrable National Park, a 130,000-hect-
are (321,000-acre) reserve encompassing one of the region’s few
remaining swaths of well-preserved dry forest habitat. Today, how-
ever, the main entrance to El Impenetrable National Park is blocked
by a metal barrier and a sign that declares the land private property,
forbidding entry without written permission. Not even Guillermo
Lier, appointed last year by the Argentine National Parks Adminis-
tration (APN) as the park’s chief guard, is allowed access.

The difficulty is a legal battle over the expropriation of land
by Chaco provincial authorities that set the stage for the park’s
creation. As the litigation plays out, El Impenetrable National Park
remains, in effect, a phantom park. Meanwhile, poachers and illegal
loggers are taking advantage of confusion about the land’s status—
surreptitiously removing timber and game, Argentine officials say.
The poachers have done so at a pace that some experts believe
could compromise the property’s remarkable conservation value,
in the process undercutting a key socioeconomic goal of the park—
to serve as a ecotourism attraction for this impoverished region.

“Biodiversity in the national park is being decimated because
many people are taking advantage of the lack of controls and enter-
ing clandestinely to hunt, fish and cut down trees indiscriminately,”
says biologist Sofia Heinonen, president of the Argentine division
of the U.S.-based Conservation Land Trust (CLT), a nongovernmen-
tal group founded here by the late U.S. clothing entrepreneur and
South American land-conservation champion Douglas Tompkins.
“El Impenetrable could be an important center of ecotourism, an
Argentine Kruger National Park, but if this situation is not resolved,
it will soon lose its fauna and be left without drawing cards.”

Emiliano Ezcurra, vice president of APN, agrees: “We are very
concerned about the degradation occurring in the national park,
which without animals will not be of any use at all.”

The main entrance to El Impenetrable National Park is in
Harmony, a hamlet in Chaco province some 1,200 kilometers (750
miles) northwest of Buenos Aires. Here, half a dozen families living
without basic services raise goats, pigs, chickens and cattle. Get-
ting to Harmony is a challenge, involving 60 kilometers (37 miles)
of dirt-road travel by truck through dry forest from Miraflores—the
nearest town with a sizable population, electric lines, paved roads
and a potable-water system. The land encompassed by the would-
be park formed part of an estancia called La Fidelidad, or Fidelity,
an enormous spread of 250,000 hectares (618,000 acres) straddling
the border of Chaco and Formosa provinces.

The idea to make some or all of La Fidelidad into a national
park first emerged in the 1990s. But action on the idea didn’t get
underway in earnest until 2011, immediately following the brutal
killing in January of that year of the estancia’s owner, 75-year-old
Manuel Roseo. Three men eventually were convicted and sentenced to life terms for the crime,
which prosecutors said occurred after Roseo
discovered that one of the men, Raúl Menocchio, had been sell-
ing pieces of the ranch fraudulently, using forged documents and
signatures. The two other men convicted allegedly were paid by
Menocchio to carry out the killing.

A lifelong bachelor who emigrated from Italy after World War
II, Roseo became wealthy in the textile business, yet at the end of
his life lived frugally, splitting his time between a small, one-story
house in the city of Castelli, and a second house, also modest, at
La Fidelidad. Employing a small number of workers at the estancia,
which he purchased in 1972, he engaged in only a minimal amount
of ranching and forestry over a period of four decades. Native tree
species were effectively protected, as were animal species includ-
ing the South American tapir (Tapirus terrestris), the giant anteater
(Myrmecophaga tridactyla), the Chacoan peccary (Catagonus wag-
neri) and the gray brocket deer (Mazama gouazoubira).

Within days of the crime, conservationists and government
officials began discussing how to prevent the property from being
sold into destructive land uses. Soon, twenty Argentine environ-
mental organizations had joined forces with the Chaco provincial
government, federal authorities and businesses, launching a cam-

The Bermejo River forms El Impenetrable Park’s northeast border. In the photo, the park
land is seen to the right of the river. (Photo courtesy of Conservation Land Trust)
paign to convert the land into a national park. The governor of Formosa, home to a 100,000-hectare (247,000-acre) portion, or 40%, of the ranch, did not show interest in the project. But Chaco’s governor at the time, Jorge Capitanich, became an enthusiastic backer. At his urging, the provincial legislature in June 2011 declared the 150,000 hectares of Fidelity ranch in Chaco province—60% of the total—to be in the public interest on account of its flora and fauna, then approved the expropriation of that land in December of the same year.

Not until December of 2013, however, did the province’s Valuations Board set the market value of the land, the amount that ultimately would have to be paid to the beneficiaries of Roseo’s estate as compensation. The figure the board set was 65 million pesos, or US$8 million at the time. A nationwide fundraising campaign ensued, and APN, nongovernmental groups, individuals and businesses got it off to a fast start by raising and depositing an amount equivalent to the land’s tax value—10.5 million pesos—by June of 2014.

The story might appear to have reached a happy conclusion in October 2014, when the Argentine Congress passed a law, swiftly signed by then-President Cristina Kirchner, formally creating El Impenetrable National Park, but a legal battle over the former ranch has left the park off limits (below right) even to park guards. (Photos by Eduardo Militello)

save a large and unusually well-preserved corner of a region otherwise threatened by the advance of hardwood logging and ranching, but also to use ecotourism to lift the area out of poverty.

But in June of 2014, a court complaint had been filed by two children whom Roseo reportedly had out of wedlock with his housekeeper. Stepping forward shortly after Roseo’s death with genetic tests proving they were his offspring, the pair—Lucia, now 23, and Emanuel, now 14—went to court to challenge the price that had been fixed for the expropriation.

Amid the ensuing dispute, the Chaco provincial government, backed by current Argentine President Mauricio Macri’s administration, has maintained strong support for the national park project and portrayed it as a potentially important means of environmentally friendly regional economic development. In May of this year, Chaco authorities announced the launch of a “sustainable-tourism development plan for El Impenetrable which will stimulate economic activity compatible with responsible use of the environment.” Also in May, the province’s current governor, Domingo Peppo, pledged he would court investors to attract international tourism.

And Argentine Tourism Minister Gustavo Santos announced that the federal government would put up 55 million pesos in additional funds to reach the expropriation price set by the Valuations Board, and would seek US$5 million in Inter-American Development Bank (IDB) financing to build tourism infrastructure for the park.

However, in August of this year, as the province was preparing to take formal possession of the land and transfer it to the National Parks Administration, Emilio Haquel, a provincial judge handling one of the suits filed by Roseo’s two children, suspended the transfer. Said Peppo, Chaco’s governor at the time: “[The ruling] surprised and worried me greatly on account of the harm it signified for Chaco province and for the development of El Impenetrable [Park].” He added that his government would study whether the ruling warranted Haquel’s removal, a question that remained academic since the judge resigned his post, without stating his reasons, the next month.

The attorney for Roseo’s children insists that the 150,000 acres of Fidelity property expropriated for the park and indigenous reserve is worth 2.4 billion pesos (US$160 million)—nearly 40 times the Valuations Board figure. “What is being attempted here is fraud,” says the attorney,
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Carlos Del Corro. “It’s all very well they want to make a national park, but they must pay what they must pay. Today, the estancia is perfectly conserved. It’s not true it is being vandalized. That’s a lie from people outside Chaco who don’t need to give us advice.”

Del Corro filed a complaint in 2014 challenging the Chaco provincial law by which the province would turn jurisdiction of the Fidelity land over to the national government. He argued the province was making the transfer without following a requirement in the province’s constitution that “territorial jurisdiction may not be modified except by law sanctioned by the vote of two thirds of the members of the [Chaco] legislature and approved by popular referendum.”

The complaint was rejected by the provincial courts in September, but Del Corro has filed an appeal with the Argentine Supreme Court. Meanwhile, legal wrangling continues in Chaco province over transfer of the land to the national parks system. Roseo’s children are not without allies. National Senator and former Chaco Gov. Ángel Rozas, a member of President Macri’s governing coalition, says he “agrees the estancia should be a national park because it can serve all Argentines as a reserve.” But he adds: “They should pay the owners what they are due.”

Heirs’ claims questioned

For their part, conservationists argue the land should have been handed over by now. They say Chaco provincial law states that in the event of legal disputes over land being expropriated, the property must be transferred into public hands once compensation based on the tax value of the land has been deposited. That milestone was reached in June of 2014, they point out. Conservationists also claim that the market value guiding the ultimate compensation for Roseo’s heirs cannot possibly be as high as Del Corro asserts. That, they say, is because the land has limited development potential, since it has been declared a natural reserve by the provincial legislature and a high-priority forest conservation zone by the federal government.

As the court battles drag on, poachers appear to be capitalizing. Parks personnel patrolling the borders of the property report illegal hunting and fishing, and have discovered illegal entry points. They say they have detained people leaving the ostensibly protected area with firearms and coolers containing animals they have killed. And in patrolling the Bermejo River, which separates Chaco and Formosa provinces and forms the national park’s northeastern border, park guards have found fishing nets, whose use is illegal, 100 meters wide.

In response, a group of Argentine senators called on the Macri administration to “take urgent protection and conservation steps for the existing flora and fauna” on the land. For its part, CLT has recruited volunteers from around the country to engage with local people and drum up support for implementation of the park.

A visit to the area reveals that many residents here do appear to support development of the national park, although they believe the environment of the El Impenetrable region as a whole will continue to feel pressure. Indeed, it is common to see trucks on the area’s dirt roads hauling logs of valuable hardwood, much of it believed to be cut illegally in the region.

“When I was little, the entire El Impenetrable forest consisted of algarrobos blancos [Prosopis alba] and quebrachos colorados [Schinopsis balansae],” says Alecio Soraire, a 39-year-old man who lives near the park entrance and says he worked as a ranch hand for Roseo from 1996 to 2001. “Aside from what’s in Fidelity, almost all the timber has been taken. Those who get permission to cut trees in a certain area generally take much more than was authorized due to a lack of enforcement. I believe that in time we’ll even see soybean fields appear.”

Designs on the land

Since last year, Soraire and Felipe Segundo, a member of the Toba indigenous group, were hired as park guards on account of their deep knowledge of the El Impenetrable region. Soraire’s forecast that soy cultivation will soon arrive is not farfetched. Farmers have long considered the region undesirable due to its aridity and difficult access. But in 2011, the provincial government announced an agreement with the Saudi company Alkhorayef to develop a US$400 million “agro-alimentary project” on 200,000 hectares (494,000 acres) of public land some 30 kilometers (19 miles) from the planned park. Alkhorayef would guarantee irrigation of the land by tapping the Bermejo River, the area’s only major water source. Since 2011, however, there has been no further news of the project.

Unless the park is established, experts say, the former ranch will come under more of the same pressure affecting the rest of the El Impenetrable forest. “The landscape has changed greatly in recent decades,” says Riccardo Tiddi, a CLT naturalist. “The best timber has been removed and bushes have grown in. Where there was grassland there are thistles and degraded land that does not guarantee the survival of cattle. The old stories speak of incredible biodiversity. An explorer who navigated the [Bermejo] river in 1899 wrote that he saw some 30 jaguars in fewer than three days. Now, it has been years since anyone has seen even a jaguar’s paw print.”

—Daniel Gutman