

# URGENT ACTION

## ARGENTINA: HUMAN RIGHTS DEFENDER IMPRISONED AND MADE TO PAY, FOR PEACEFUL PROTEST

Alberto Nallar is a human rights lawyer who took an active role during the protests in Jujuy province that began on June 15. He is being criminalised and was deprived of liberty one month under house arrest until his release on August 18<sup>th</sup>. On October 24, 2023, Alberto Nallar was sentenced to 42 months of imprisonment for the crime of "incitement to commit crimes, incitement to collective violence and uprising or mutiny " and condemned with an economic reparation in favor of Jujuy province. Alberto Nallar will appeal this resolution.

**TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER**

To the General Prosecutor of the Public Prosecutor's Office of the Province of Jujuy

Dr. Sergio Lello Sánchez

Email: [slello@mpajujuy.gov.ar](mailto:slello@mpajujuy.gov.ar)

Dear Mr. Attorney General,

I am writing to express my deep concern about the conviction of the human rights lawyer Alberto Nallar. The criminal charges he faces are an undue reprisal for pacifically participating in a protest and exercising his right to defend human rights.

In Jujuy, between July 11 and 13, many arrests and raids were carried out in private homes in Humahuaca and San Salvador, targeting teachers, students and human rights defenders who participated in or supported the social mobilisations around the provincial constitutional reform. Amnesty International travelled to Jujuy and interviewed demonstrators and defenders, finding that many of these detentions were arbitrary and part of a "hostile environment" to exercise the right to peaceful protest.

Alberto Nallar was detained on July 13, 2023, and remained under house arrest for 37 days. He was recently convicted of the crime of sedition, sentenced to 42 months of imprisonment and condemned with an economic reparation of 7 million Argentinean pesos (equivalent to 53 minimum wages) in favor of Jujuy province. I am deeply alarmed that this conviction is not only a reprisal for Alberto Nallar but also has a deterrence effect on freedom of expression in the province, as Amnesty International keeps receiving reports about imminent arrest warrants against other defenders.

Given the international obligations of the Argentine State to respect, protect and guarantee the freedom of expression, assembly and demonstration, we call on you to cease criminalisation against Alberto Nallar and other human rights defenders.

Best regards to you,

[NAME]

## ADDITIONAL INFORMATION

On June 16, 2023, the Constituent Convention of the Province of Jujuy, Argentina, carried out a [constitutional reform](#) without participation or publicity, and that could threaten the collective rights and the cosmovision of the Indigenous Peoples.

As a result of the protests that followed the approval of the partial reform of the Provincial Constitution, violent police repression took place in the province of Jujuy, with serious irregularities, including arbitrary detentions and the excessive use of force by state agents. The response of the security forces of the province of Jujuy to the demonstrations generated significant violations of the rights to life, liberty, personal integrity, peaceful assembly, to defend human rights and freedom of expression, recognised and protected by international law.

Protests by communities and social and human rights organisations continue in the province of Jujuy, as the new constitution has not been reversed. In September of this year, an Amnesty International delegation visited the city of San Salvador de Jujuy and the departments of Tumbaya, Cochinoca, Humahuaca, Susques in the province of Jujuy. The organisation interviewed at least 107 victims and witnesses, including members of more than 15 indigenous communities, lawyers, human rights organisations and local authorities.

Amnesty International found unnecessary and excessive use of force, including the use of tear gas and rubber bullets at protests, resulting in multiple cases of injuries to those participating in the protest. Amnesty International also heard various accounts of arrests of individuals for merely participating in demonstrations, which amounts to arbitrary deprivation of liberty. It was also reported that victims of state repression avoid filing complaints, fearing prosecution for their participation in the protests. At the same time, the organisation found a significant lack of proactivity on the part of the authorities in investigating possible abuses committed by the security forces during the demonstrations.

Alberto Nallar is a lawyer and human rights defender; he unfailingly supported the popular mobilisation against constitutional reform and provided support and legal assistance to people detained during the demonstrations and their families. The crime of sedition for which he was convicted is a criminal provision frequently used in the country to criminalise people who exercise the right to social protest, along with obstructing public roads, incitement to commit crimes or resisting authority, among other actions. He was convicted on October 24<sup>th</sup> by the Oral Criminal Court No. 3 of Jujuy. He has not been detained again because the sentence is not definitive yet. Alberto Nallar will appeal the resolution of the Court.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** Spanish

You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** 11 January 2024.

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PREFERRED PRONOUN:** Alberto Nallar (He, him)

**LINK TO PREVIOUS UA:** [Argentina: Human rights defender convicted for protesting - Amnesty International](#)