

URGENT ACTION

ARGENTINA: HUMAN RIGHTS DEFENDER CONVICTED FOR PROTESTING

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 criminalized and was deprived of liberty one month under house arrest until his release on August 18. 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 ". He was financially condemned with a lien and disqualified from practicing his profession. Alberto Nallar will appeal this resolution.

TAKE ACTION:

- Write a letter in your own words or using the sample below as a guide to one or both government officials listed. You can also email, fax, call or Tweet them.
- [Click here](#) to let us know the actions you took on **Fourth Urgent Action 74.23**. It's important to report because we share the total number with the officials we are trying to persuade and the people we are trying to help.

**General Prosecutor of the Public Prosecutor's Office
of the Province of Jujuy**
Dr. Sergio Lello Sánchez
Email: slello@mpajujuy.gob.ar

**Argentinian Embassy in the United States
Ambassador Jorge Argüellos**
1600 New Hampshire Ave NW, Washington, DC 20009
Phone: (202) 238-6400
Email: eeuu@mrecic.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 occurred in private homes in Humahuaca and San Salvador, targeting teachers, students, and human rights defenders who participated in or supported the social mobilizations 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. As mentioned, he was recently convicted of the crime of sedition, sentenced to 42 months of imprisonment, condemned with a lien, and deprived of exercising his profession. I am deeply alarmed that this conviction is not only a reprisal for Alberto Nallar, but also has a deterrent effect on freedom of expression in the province.

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 criminalization against Alberto Nallar and other human rights defenders.

Yours sincerely,

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 to the demonstrations generated significant violations of the rights to life, liberty, personal integrity, peaceful assembly, to defend human rights, and to freedom of expression.

Protests continue in the Province of Jujuy, as the new constitution has not been reversed. In September, 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 organization interviewed at least 107 victims and witnesses, including members of more than 15 indigenous communities, lawyers, human rights organizations, 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 organization found a 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 mobilization 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 criminalize 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 24th 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: December 6, 2023.

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: <https://www.amnesty.org/en/documents/amr13/7290/2023/en/>