



GRULAC-IPU Declaration On the arbitrary detention of an Argentine citizen in Venezuela

Through legislators of the *National Congress of Argentina*, the Geopolitical Group for Latin America, and the Caribbean of the Inter-Parliamentary Union (GRULAC-IPU) has learned about the arbitrary detention of an Argentine citizen by authorities of the Bolivarian Republic of Venezuela.

As reported to GRULAC, on Friday, December 13, 2024, the Ministry of Foreign Affairs and the Ministry of Security of the Argentine Republic published Press Information No. 560/24 through which they express "their strongest rejection of the arbitrary and unjustified detention of the non-commissioned officer of the Argentine National Gendarmerie, First Corporal **Nahuel Agustín Gallo**, by Venezuelan authorities." The statement states that "On December 8, the non-commissioned officer entered the territory of the Bolivarian Republic of Venezuela from Colombia, through a land border crossing, crossing the 'Francisco de Paula Santander' International Bridge, to go to the Venezuelan town of Táchira, with the sole purpose of visiting his family and his partner, with whom he shares a child in common. Despite the strictly personal nature of his visit, he was immediately detained without any legitimate reason and in open violation of his fundamental rights."

As established by the Inter-American Convention on Forced Disappearance of Persons adopted in Belém do Pará, Brazil, on June 9, 1994, during the twenty-fourth regular session of the General Assembly of the Organization of American States (OAS), the States Parties undertook "not to practice, permit, or tolerate the forced disappearance of persons, even in a states of emergency or suspension of individual guarantees"; "to punish within their jurisdictions, those persons who commit or attempt to commit the crime of forced disappearance of persons and their accomplices and accessories"; "to cooperate with one another in helping to prevent, punish, and eliminate the forced disappearance of persons; and "to take legislative, administrative, judicial, or any other measures necessary to comply with the commitments undertaken" in said instrument (Art. I, paragraphs a, b, c, and d of the Convention).

Enforced disappearance is considered to be "the act of depriving a person or persons of his or their freedom, in whatever way, perpetrated by agents of the state or by persons or groups of persons acting with the authorization, support, or acquiescence of the state, followed by an absence of information or a refusal to acknowledge that deprivation of freedom or to give information on the whereabouts of that person, thereby impeding his or her recourse to the applicable legal remedies and procedural guarantees" (Art. II of the Convention).

"In no case may exceptional circumstances such as a state of war, the threat of war, internal political instability, or any other public emergency be invoked to justify the



forced disappearance of persons. In such cases, the right to expeditious and effective judicial procedures and recourse shall be retained as a means of determining the whereabouts or state of health of a person who has been deprived of freedom or of identifying the official who ordered or carried out such deprivation of freedom.”; “In pursuing such procedures or recourse, and in keeping with applicable domestic law, the competent judicial authorities shall have free and immediate access to all detention centres and to each of their units, and to all places where there is reason to believe the disappeared person might be found including places that are subject to military jurisdiction” (Art. X of the Convention).

Although the Venezuelan authorities have acknowledged the arrest, the fact that it is the place of detention of the aforementioned Argentine citizen was unknown at the time of issuing this statement violates Article XI of the Convention, which establishes that “Every person deprived of liberty shall be held in an officially recognized place of detention and be brought before a competent judicial authority without delay, in accordance with applicable domestic law. The States Parties shall establish and maintain official up-to-date registries of their detainees and, in accordance with their domestic law, shall make them available to relatives, judges, attorneys, any other person having a legitimate interest, and other authorities.”

Considering the above, GRULAC-IPU:

1).- Urgently calls on the Venezuelan authorities to immediately inform the family of the Argentine citizen **Nahuel Agustín Gallo** and the Argentine authorities of the reasons for his detention, his current whereabouts, and his state of health; and to urgently enable the relevant legal resources and procedural guarantees in strict compliance with the Inter-American Convention on Forced Disappearance of Persons and other legal instruments of obligatory compliance for the Bolivarian Republic of Venezuela.

2).- Demands full respect for the human rights and fundamental freedoms of **Nahuel Agustín Gallo** derived from the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other relevant international and regional instruments on human rights, humanitarian law and international criminal law, including the International Convention for the Protection of Persons from Enforced Disappearances, approved on December 23, 2010 by the United Nations General Assembly.

3).- Request the States Parties that have signed and ratified the Inter-American Convention on Forced Disappearance of Persons to intercede before the Bolivarian Republic of Venezuela for the appearance alive and the urgent restoration of the rights of the detained Argentine citizen.

4).- Demands the Inter-American Commission on Human Rights, through its Executive Secretariat, to urgently ask the government of the Bolivarian Republic of Venezuela to provide as soon as possible information on the whereabouts of Argentine citizen **Nahuel**



Agustín Gallo and any other information it deems pertinent, adding that, if the current situation continues, it will file a formal complaint and request a precautionary measure under the terms of the American Convention on Human Rights and the Statutes and Regulations of the Commission and the Inter-American Court of Human Rights.

5).- Informs the Inter-Parliamentary Union of this declaration through a note sent to the Presidency and the General Secretariat by their IPU Executive Committee representatives.

This declaration has been adopted by representatives of the following GRULAC/UIP member parliaments: ARGENTINA, BOLIVIA, BRAZIL, CHILE, COLOMBIA, GUYANA, MEXICO, PARAGUAY, PERU, and URUGUAY, with the support of the Presidency of PARLASUR.

National Deputy Fernando Iglesias

Chairman, Foreign Relations and Worship Commission
H. Chamber of Deputies of the Argentine Nation

National Senator Lucila Crexell

1st Vice-president, Latin-American Geopolitical Group, IPU
Member *H. Senate of the Argentine Nation*

Deputy Luis Alberto Zuñiga Rojas

Representative to Supranational Parliamentary Bodies
Co-President of the Interparliamentary Group of the *Plurinational State of Bolivia* to the IPU and
Member of the IPU Advisory Group on Health

Supranational Parliamentarian Clotilde Padilla Solís

Supranational Parliamentary Representative of the *Plurinational State of Bolivia*

Federal Deputy Claudio Cajado

Member of the Executive Council of the Inter-Parliamentary Union (IPU)
representing the Geopolitical Group of Latin America and the Caribbean (GRULAC)

Senator Rojo Edwards Silva

IPU Delegate, *Senate of the Republic of Chile*

Representative to the House Oscar Darío Pérez Pineda

House of Representatives of the Republic of Colombia

Representative to the House José Jaime Uscategui Pastrana

House of Representatives of the Republic of Colombia

Representative to the House Cámara Juan Espinal

House of Representatives of the Republic of Colombia

Representative to the House Jhon Jairo Berrio López

House of Representatives of the Republic of Colombia



Representative of the House Carlos Edward Osorio Aguiar
House of Representatives of the Republic of Colombia

Representative to the House Yenica Sugein Acosta Infante
House of Representatives of the Republic of Colombia

Senator Paola Holguín
Senate of the Republic of Colombia

Senator Honorio Miguel Henríquez Pinedo
Senate of the Republic of Colombia

Senator Esteban Quintero Cardona
Senate of the Republic of Colombia

Honorable Manzoor Nadir
President of GRULAC, IPU
Speaker, *Parliament of the Cooperative Republic of Guyana*

Assemblywoman María del Carmen Alva Prieto
Member of the Executive Council of the Interparliamentary Union (IPU)
Representing the Geopolitical Group of Latin America and the Caribbean (GRULAC)
IPU Delegate of the *Congress of the Republic of Peru*

Assemblyman Ernesto Bustamante
IPU Delegate of the *Congress of the Republic of Peru*

Senator Cynthia López Castro
President of the Women's Forum of the Inter-parliamentary Union (IPU)
(member of the Executive Committee of the Inter-parliamentary Union)
Member of the IPU Delegation of the *Senate of Mexico*

Deputy César Augusto Rendón García
Member of the IPU Delegation of the *Chamber of Deputies of Mexico*

Senator Patrick Paul Kemper
Member of the IPU Delegation of the *Senate of the Republic of Paraguay*

Senator Beatriz Argimón
Vice-president, Uruguay
President, National Assembly of the *Parliament of the Republic of Uruguay*
Member of the IPU Delegation of the *Republic of Uruguay*

Parliamentarian Fabiana Martín
President of the *Parliament of the Southern Common Market (Parlasur)*
Parliamentarian representing the *Republic of Argentina*