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Title/Style of Cause:	Dagmar Ingrid Hagelin v. Argentina
Doc. Type:	Resolution
Decided by:	Chairman: Dr. Carlos A. Dunshee de Abranches; Vice Chairman: Professor Tom J. Farer; Members: Dr. Andrés Aguilar, Dr. Gabino Fraga, Dr. Carlos García Bauer, Dr. Marco Gerardo Monroy Cabra; Dr. Fernando Volio Jiménez
Dated:	18 November 1978
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BACKGROUND:

1. The following denunciation was made in a communication dated October 20, 1977:

"Dagmar Ingrid HAGELIN. - Born in Buenos Aires, Argentina, on September 29, 1959. Citizenship: Swedish-Argentine. - 1. 1-26-77 - A friend of Miss Dagmar Ingrid HAGELIN, Norma Burgos, was arrested between 5 and 6:00 p.m. on a street in Buenos Aires. The Navy had asked the Police Unit in Moryn, in the western section of Buenos Aires, to radio all the stations in the area announcing that a military operation would be conducted that afternoon. It was to be carried out by the Unit of the Naval Mechanics School in Sargento Cabral Street, Ne 317, in the Palomar area. The radio message said that the operation would be carried out in four vehicles: 3 Foro Falcons (one white, one green and the third pale blue) and a blue Chevrolet. The four automobiles drew up to the address given above about 10:25 p.m. After attacking the house, the four cars left, taking Norma Burgos away, and leaving 7 soldiers in the house for the night. They were carrying submachineguns and were wearing bullet-proof vests. Norma Burgos' parents and her small baby remained in the house. 2. 1-27-77 - About 8:30 a.m., without realizing what had happened, Miss Hagelin came to her friend Norma's house to ask about her vacation plans. Seeing a group of armed men, she took fright and ran away. Two of the men followed her down Pampa street, and one of them took out a pistol and fired at her once. She fell to the ground, one of the men came up to her, while the other went over to a taxi driver, and pointed the submachinegun at him. They told the cabby that they were from the Federal Police (which was not true), and that he would have to hand the taxi over to them. They drove the taxi to the place where Miss Hagelin had fallen, and put her in the front of the automobile. Because of a mechanical hitch, they were unable to close the trunk and they called the taxi driver over to help them shut it. At that moment, the taxi driver, as well as other people who where in the vicinity, saw that although she was hurt, Miss Hagelin was pushing upward with both hands from inside the trunk. They finally closed the trunk, drove around the block, picked up the other five men and went off taking Miss Hagelin with them. 3. 1-28-77 - In the morning, the Swedish Embassy in Buenos Aires was asked for diplomatic immunity for Miss Hagelin. This was done, and the Ministry of Foreign Relations of Argentina was so informed. An interested party then made contact with the Moryn and

Palomar police stations and officially confirmed that the operation was indeed an official military action, duly registered in both stations. 4. 1-30-77 -Miss Hagelin's father, accompanied by a soldier, went to the taxi driver's house to get information on his automobile, which had been stolen from him. 5. 2-16-77 - Men dressed in civilian clothing went to the cab driver's house, gave him the key to his taxi, told him where it was (in the town of San Martin), and threatening him, ordered him to say that he had found it in El Palomar. 6. 4-13-77 - A writ of habeas corpus was filed with the Argentinean Department of Justice, and the reply has until now been negative."

2. In a note dated November 1, 1977, the Commission transmitted the pertinent parts of this denunciation to the Government of Argentina, requesting that it provide the corresponding information.

3. The claimant made the following oral report to the commission on October 25, 1977:

"Miss Hagelin's father, accompanied by a high-ranking military officer, saw the police records in the Moryn Police Station, where it was recorded that the operation was conducted by the Navy Mechanics School, which was the place she was reported to have been detained (incomunicado)."

4. In a note of January 9, 1978, the Government of Argentina replied to the request for information, but failed to refer to the acts specifically denounced, putting its answer in the following terms:

...

"C. Persons concerning whom there is no record of arrest and who are the object of a police search by the Ministry of the Interior:

...

66. HAGELIN, Dagmar Ingrid (Case 2484)."

5. The pertinent parts of the reply from the Government of Argentina were transmitted to the claimant in a letter dated May 25, 1978.

WHEREAS:

1. The Government of Argentina failed to refer to the events specifically denounced, and in particular, to the response from the Moryn and El Palomar Police Stations, which confirmed that the operation in which Miss Dagmar Ingrid Hagelin was wounded and detained was conducted by military authorities;

2. Article 51.1 of the Regulations of the Commission provides as follows:

"1. The occurrence of the events on which information has been requested will be presumed to be confirmed if the Government referred to does not supply such information within 180 days of the request, provided always, that the invalidity of the events denounced is not shown by other elements of proof."

THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, RESOLVES:

1. In application of Article 51.1 of the Regulations, to presume the events denounced and cited above in relation to the detention of Miss Dagmar Ingrid Hagelin on January 27, 1977, who has disappeared since that date, to be true.

2. To observe to the Government of Argentina that such acts constitute serious violations of the right to personal security (Article I); of the right to a fair trial (Article XVIII), and of the right to protection against arbitrary arrest (Article XXV) of the American Declaration of the Right and Duties of

Man.

3. To recommend to the Government:

- a. that it take all necessary measures to release Miss DAGMAR INGRID HAGELIN, or if appropriate, to bring her to proper trial if there are legal grounds for doing so, and to ensure that the conditions of her detention do not violate her right to human treatment as upheld in Article XXV cited above;
- b. that it punish those responsible for the events denounced, in conformity with Argentine law, and
- c. that it inform the Commission, within a maximum of 30 days, as to the measures taken to put into practice the recommendations contained in the present Resolution.

5. To communicate this Resolution to the Government of Argentina and to claimant.

6. To include this Resolution in the Annual Report to the General Assembly of the Organization of American States, pursuant to Article 9 (bis), paragraph c.iii of the Statute of the Commission.