

Report of the **NATIONAL COMMITTEE FOR THE PREVENTION OF TORTURE**

(National Preventive Mechanism)
of the Argentine Republic

Seventh Periodic Report of Argentina
United Nations Committee against Torture

CNPT Resolution 88/2025

10 October 2025



COMITÉ NACIONAL
PARA LA PREVENCIÓN
DE LA TORTURA







CONTENTS

A. Introduction	5
B. General Context: Challenges to the Democratic Space in Argentina. Regressions in the Protection and Promotion of Human Rights in General and the Rights of Persons Deprived of Their Liberty in Particular	6
C. National System for the Prevention of Torture and Bodies for the Oversight of Detention Conditions and the Prevention of Torture (Articles 2 and 11 of the Convention)	9
D. Definition and Criminalization of the Offence of Torture (Articles 1 and 4 of the Convention)	19
E. Practices of Torture and Ill-Treatment Identified in Custodial Settings (Articles 2, 12 and 16 of the Convention)	20
F. Police Action (Articles 2 and 16 of the Convention)	28
G. Detention Conditions (Articles 2, 11 and 16 of the Convention)	31
H. Deprivation of Liberty Measures (Articles 2 and 16 of the Convention)	36
I. Deprivation of Liberty of Boys, Girls and Adolescents on Criminal Grounds	41
J. Boys, Girls and Adolescents Institutionalized under Exceptional Protection Measures	43
K. Solitary Confinement Regime (Articles 11 and 16 of the Convention)	45
L. Deaths of Persons in Custody (Articles 2, 11 and 16 of the Convention)	54



M. Medical Examinations (Articles 2, 12 and 16 of the Convention)	56
N. Investigation of Complaints of Torture, Ill-treatment and Deaths in Custody (Articles 2, 12, 13 and 16 of the Convention)	57
O. Non-refoulement and Detention for Migration-related Reasons (Article 3 of the Convention)	77
P. Gender-based Violence and Women Held in Detention (Articles 2 and 16 of the Convention)	78
Q. Redress Measures (Article 14 of the Convention)	82
R. Use of Force during Public Demonstrations (Articles 2, 11 and 16 of the Convention)	84
S. Reforms and Adoption of Criminal Policies (Article 2 of the Convention)	90

A. Introduction

This document has been prepared by the National Committee for the Prevention of Torture of Argentina ("CNPT") for submission to the United Nations Committee against Torture (CAT) within the framework of its 83rd session, at which compliance of the Argentine Republic with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter, the Convention or UNCAT) will be assessed.

The CNPT is the National Mechanism for the Prevention of Torture in the Argentine Republic, as well as the governing body of the National System for the Prevention of Torture in Argentina (SNPT), which is composed of the CNPT itself, the Federal Council of Local Mechanisms, Local Mechanisms for the Prevention of Torture, and such government institutions, public entities and non-governmental organizations as committed to achieving the objectives of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

Accordingly, in preparing this document, contributions from various bodies that make up the SNPT,¹ as well as information periodically produced by the various actors within the SNPT and by the CNPT itself, have been taken into account.

Efforts have also been made to provide information reflecting the federal nature of the Argentine Republic. Therefore, reporting on compliance with the Convention requires addressing the situation in 25 jurisdictions (23 provinces, the Autonomous City of Buenos Aires, and the federal jurisdiction), since each of them has its own security and custodial forces, procedural legislation, judicial system, etc. For the sake of brevity, this report describes the most representative situations, as well as such issues as requiring the CAT's particular attention.

This report seeks to contribute to the follow-up to the main concerns and recommendations set out in the CAT's Concluding observations on the combined fifth and sixth periodic reports of Argentina,² as well as to the matters specified in the List of issues prior to submission submitted to the State.³ Accordingly, in order to facilitate reading, the matters addressed herein follow the structure of the CAT's report, except for the section con-

1. Contributions to this report were made by the local mechanisms of the City of Buenos Aires, Chaco, Misiones, Entre Ríos, Chubut and the federal jurisdiction (Office of the Ombudsman for the Prison System).
2. CAT (2017), Concluding observations on the combined fifth and sixth periodic reports of Argentina, CAT/C/ARG/CO/5-6.
3. CAT/C/ARG/QPR/7.



cerning the National System for the Prevention of Torture, which, due to its importance as an effective means of promoting compliance with the Convention, is presented first.

In this regard, it should be noted that the List of issues prior to submission was responded to by the State on 12 May 2021. Therefore, more than four years having passed since then, federal authorities—as well as most provincial authorities—have changed, and many of the measures reported at that time are no longer in force.

B. General Context: Challenges to the Democratic Space in Argentina. Regressions in the Protection and Promotion of Human Rights in General and the Rights of Persons Deprived of Their Liberty in Particular

The Convention against Torture is indivisible, and the rights enshrined in it are interdependent. Therefore, compliance with the Convention must be assessed within the broader framework of the general human rights situation in the Argentine Republic.

In this regard, the CNPT deems it necessary to draw attention to a series of official measures, institutional practices and public statements by high-ranking authorities which, taken together, have resulted in a reduction of the public and democratic space, the stigmatization of various social sectors, and the promotion of narratives that deny fundamental rights, including those of persons deprived of their liberty.

It is a matter of concern that, in recent months, nine Special Rapporteurs and Independent Experts of the UN human rights system have requested the urgent attention of the Argentine State in view of the deterioration of fundamental freedoms and the civic space. These documents make reference to “violations of freedom of expression and freedom of peaceful assembly and association; disproportionate use of force, of less-lethal weapons and of arbitrary detentions in the context of peaceful assemblies; as well as violence and cruel, inhuman and degrading treatment in the context of arbitrary detentions, and actions that undermine judicial independence and, therefore, access to justice in respect of acts committed, including

serious human rights violations”.⁴ Several of the situations that prompted these observations are analyzed in detail in this report.

A number of current policies and official statements promote measures such as compulsory prison labour without adequate conditions or remuneration; detention without a judicial warrant; extension of custodial sentences; compulsory confinement on mental health grounds; a drastic reduction in the minimum age of criminal responsibility; and the imposition of disproportionate penalties. These initiatives run counter to the standards of the Convention and of international human rights law, as well as to several of the recommendations issued by this Committee to the Argentine State.

In his address at the opening of the regular sessions of the National Congress, the Argentine President stated: “We need to lower the age of criminal responsibility. And not only that, we also need to increase all the sentences in the Criminal Code. Yes, all the sentences in the Criminal Code! Thereby embarking on the most important reform of the Criminal Code in the last one hundred years—something that must be done urgently”.⁵

Indeed, on 2 October, the President presented a draft comprehensive reform of the Criminal Code at Ezeiza Federal Prison Complex, within the framework of so-called “Zero Tolerance Plan against Crime”. On that occasion, he stated that “years of an overly protective rights-based approach have legally tied the hands of the security forces, judges and prosecutors who wanted to fight crime”, and added that “if we manage to pass these reforms, those who commit crimes will truly pay the price”.

For her part, on that occasion, the Argentine Minister of Security stated that the plan is structured around three main pillars: “the increase of penalties, the non-applicability of the statute of limitations to heinous crimes and the effective enforcement of sentences”, and added that “Argentina has low sentences”.⁶

4. AL ARG 4/2025, 12 May 2025. Mandates of the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association; of the Working Group on Arbitrary Detention; of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions; of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression; of the Special Rapporteur on the Situation of Human Rights Defenders; of the Special Rapporteur on the Independence of Judges and Lawyers; of the Independent Expert on the Enjoyment of All Human Rights by Older Persons; of the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism; and of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

5. Message from the Argentine President to the Legislative Assembly (2025). Available [here](#) and [here](#).

6. Office of the President (2025). President Javier Milei presented the National Zero Tolerance Plan against Crime. Available [here](#).



These types of statements and policies are not confined to the federal level, but have been echoed by various provincial authorities.

In the province of Santa Fe, for example, in the context of high levels of conflict and violence, a differentiated detention system has been implemented for persons classified by the prison administration itself as “high risk”—a matter further analyzed in relation to Articles 11 and 16 of the Convention. Within this framework, a special prison is currently under construction, which local authorities have publicly named “Hell”.⁷

In this context, the Governor of Santa Fe himself disseminated on social media images of semi-naked persons deprived of their liberty with their hands bound with plastic handcuffs, stating that detainees “are going to have a harder and harder time”.⁸ These statements, together with repeated reports of rights violations in provincial detention facilities, prompted a visit by the CNPT and, subsequently, a special session of the Federal Council of Local Mechanisms. In response, the Governor stated that institutions concerned about the rights of detainees “should take them into their own homes”.

In the province of Tucumán, following complaints by relatives of persons deprived of their liberty regarding detention conditions, the Governor declared to the press: “If family members do not abide by the conditions we are setting, we will send them to other provinces”, explicitly mentioning Buenos Aires, Chubut and Santa Cruz—all more than one thousand kilometres away. This measure was later effectively applied to certain detainees.⁹

In order to illustrate this context, the CNPT has compiled a selection of public statements in a video available at the following [link](#).

These policies and statements have not been without consequence. The Argentine Republic currently records the highest rate of imprisonment in its history, with 286.2 persons deprived of their liberty per 100,000 inhabitants, in prisons and police stations.¹⁰ This has severely exacerbated the structural shortcomings of the prison system, already noted by the CAT in its last Concluding observations. Although some jurisdictions have built new facilities, these have proven insufficient to accommodate the sus-

7. Government of Santa Fe. 18 May 2025. Mr. Pullaro: “We will build, in four years, as many cells as were built over the past one hundred years”. Available [here](#).

8. El Diario Ar (6 March 2024). Pullaro and a copy of the “Bukele method” for Santa Fe. Available [here](#).

9. La Gaceta (23 December 2024). *Jaldo to the families of detainees: “If you do not cooperate, we will send them to other provinces”*. Available [here](#).

10. National Register of Places of Detention, Inmate Population and Capacity (RNLPyC) of the CNPT.

tained growth in the prison population. While there are significant differences among jurisdictions, the overall national picture shows a regressive trend, with an increase in prolonged detention in police stations.

Regressions are not limited to detention conditions. Significant shortcomings are also observed in relation to the use of force by police forces. There has been improper use of force in the context of social protests, the criminalization of persons experiencing homelessness or suffering from mental health conditions, and the detention of informal workers. In short, there is a growing tendency to address social issues through policing and criminal responses. Even in cases where demonstrators have sustained serious injuries, the Argentine Minister of Security has publicly justified the use of pepper spray against minors and stated that no investigations should be carried out to determine liability.¹¹

In this context, the CNPT considers that the CAT's assessment constitutes an opportunity to help reverse these trends and to improve the Argentine State's compliance with its international human rights obligations.

C. National System for the Prevention of Torture and Bodies for the Oversight of Detention Conditions and the Prevention of Torture (Articles 2 and 11 of the Convention)

As the CAT is aware, Act No. 26,827, under which the National System for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was established, entered into force in 2013. The System is composed of the National Committee for the Prevention of Torture (CNPT), the Federal Council of Local Mechanisms (CFML), local mechanisms, and government institutions, non-governmental organizations and individuals interested in achieving the objectives of the OPCAT.

11. <https://www.lanacion.com.ar/lnmas/eduardo-feinmann-cruzo-a-patricia-bullrich-por-un-video-fake-de-la-nena-gaseada-no-nos-van-a-nid12092024/>
<https://www.ambito.com/politica/patricia-bullrich-dijo-que-no-investigara-al-policia-que-disparo-la-granada-contra-pablo-grillo-tiro-como-dicen-los-manuales-n6123210>
<https://www.lanacion.com.ar/politica/pablo-grillo-cuadro-por-cuadro-las-imagenes-que-contradicen-el-relato-de-bullrich-sobre-el-fotografo-nid14032025/>



Under the Act, the CNPT has been designated as the System's governing body, responsible for coordinating the actions of the various bodies that make up the System. The CNPT also serves as the National Preventive Mechanism (NPM).

In the List of issues prior to submission (CAT/C/ARG/QPR/7), the State was requested to provide information on the measures taken to ensure that the NPM enjoys full institutional, political and financial independence. In this regard, it should be noted that, ever since the NPM was established on 28 December 2017, it has undergone a progressive, planned and sustained development process that has enabled it to achieve such independence in all respects, fully complying with its broad mandate.

During its first two years of operation (2018-2019), it established its fundamental working criteria, adopted internal regulations on operation and management, approved an organizational chart, and selected the head of its Executive Secretariat through a public competitive selection process. Furthermore, monitoring visits to places of detention were conducted in Argentina's largest jurisdictions, the first meetings of the National System for the Prevention of Torture were held, and the Federal Council of Local Mechanisms was established.

In 2020, the Executive Secretariat was set up as the NPM's technical and administrative structure. Professionals were gradually appointed to lead the various technical departments, although this process was impacted by the COVID-19 pandemic, which required adapting the dynamics of the recently formed team to remote work and the exceptional conditions brought about by the pandemic.

In addition, the NPM also adapted its core activities to the pandemic context. It issued specific recommendations aimed at preventing the spread of COVID-19 in places of detention, visited preventive isolation centres, and systematized information on infections contracted in such facilities nationwide, becoming a model institution in this field.

At the institutional level, during the following two years (2022-2023), it achieved full operational and administrative independence through the implementation of its own "Administrative and Financial Service", the consolidation of its staff structure—which was progressively expanded and achieved the stability inherent to public sector employment—, and a corresponding increase in its budget. This required a review of its organizational chart and its various internal administrative and staff regulations.

At the same time, the NPM improved its monitoring visits to places of detention and other activities within its mandate. By the end of 2023, it had conducted visits throughout the whole country to places of detention for both criminal offences and for mental health or protective reasons, and developed procedures, methodologies and instruments suited to each type of facility and population.

During this period, the first National Register of Torture and Ill-treatment was consolidated, thematic reports and general recommendations were issued, and standards were established concerning habitability in prisons and temporary detention facilities, among others.

Simultaneously, **ever since the establishment of the CNPT, the National System for the Prevention of Torture (SNPT) has been strengthened** through the promotion of the creation of Local Mechanisms for the Prevention of Torture. To date, such local mechanisms have been implemented in sixteen (16) jurisdictions, which have received institutional support from the CNPT through various initiatives, including training, joint monitoring and resource transfers, within a framework of ongoing dialogue and co-operation.

At the same time, the Federal Council of Local Mechanisms (CFML) was gradually expanded and strengthened. The CFML provides a forum for local mechanisms from all jurisdictions to meet in order to align criteria, plan and follow up on public policies, programmes and action plans concerning the prevention and punishment of torture and assistance for victims and their families, as well as to submit proposals and work together with the CNPT.

This policy of strengthening the SNPT has also extended to social and non-governmental organizations engaged in the prevention of torture through the **creation of a register of organizations monitoring places of detention, which were trained and supported by the CNPT to ensure their unhindered access to such places.** This register, provided for in Article 41 of Act No. 26,827, currently includes 18 non-governmental organizations from across the country and over 400 individuals trained and authorized to carry out monitoring in places of detention.

In addition, since late 2021, the CNPT has supported projects related to the prevention of torture and the promotion of the human rights of persons deprived of their liberty and their families from both social organizations and public universities, by providing specific resources and institutional recognition. In order to implement this policy as well as other coordination initiatives, the CNPT has entered into cooperation agreements. To date,



sixty-two (62) agreements have been entered into with non-governmental organizations, local mechanisms, universities, higher courts, public defender's offices, and judicial bodies, among others.

Reflecting this progress, in 2022, following its visit to the Argentine Republic, the Subcommittee on Prevention of Torture (SPT) stated: *"Before, during and after the visit, the SPT delegation, during interactions with the CNPT, noted that it is a well-organized body, which is already made up of competent personnel and carries out proactive activities. The CNPT is highly active in its complex role as the governing body of the National System: it conducts multiple monitoring visits and prepares interesting reports, issues recommendations and standards, highlights good practices, and proposes bills. It also manages registers and databases, and interacts with the international human rights system and with other national mechanisms for the prevention of torture from other countries, among other functions. Overall, the CNPT is a good example of a solid, active and advanced mechanism in meeting the standards required by the OPCAT".*¹²

However, over the course of 2025, two extremely serious interventions were conducted by federal authorities, which obstructed the CNPT's mandate and threaten its independence.

The first intervention took place on 20 February 2025. The CNPT visited Federal Prison Complex No. 1 to conduct a general preventive monitoring visit, together with members of the Office of the Ombudsman for the Prison System (PPN, the Local Mechanism at the federal level) and the Chief Public Defender's Office.

A few days earlier, the CNPT had informed the Argentine Under-Secretary for Prison Affairs that such monitoring would be carried out in February, without specifying the date or the areas of the facility to be inspected. It also requested that the focal point be updated to address any operational issues that might arise during the visit and that a meeting be scheduled to have a discussion after the visit.

Remarkably, the Under-Secretary replied that, prior to the visit, it was necessary to *"provide evidence of the alleged capacity as President of the National Committee for the Prevention of Torture, as appointed under Article 11 of Act No. 26,827, to verify that such appointment remains in force, so as to assess this and any other initiative within the scope of the FEDERAL*

12. SPT (2022), Visit to Argentina from April 19 to April 30, 2022: recommendations and observations directed to the national prevention mechanism, CAT/OP/POL/RONPM/R.1, par. 13.

PRISON SERVICE". Furthermore, the Under-Secretariat itself instructed the Head of Federal Prison Complex No. 1 that only one commissioner and one representative of the PPN be authorized to enter the facility.

In this way, a senior official of the Argentine Executive—responsible for all federal prisons—sought to assume the power to determine whether NMP members' term of office remained in force, in clear violation of the independence required by the OPCAT, and prevented the full CNPT delegation from entering the prison complex.

This incident also revealed a marked arbitrariness of the Argentine Executive, since officials of the Office of the Ombudsman for the Prison System were allowed entry without any evidence having been required.

In this context, the CNPT sent a note to the Argentine Minister of Security informing her about the improper request made by the Under-Secretary and requesting that the obstacles preventing the CNPT from carrying out its monitoring visits in accordance with Act No. 26,827 and the OPCAT be removed. At the time of submission of this report, no response has been received.

A few days later, the CNPT was summoned to a session of the Congressional Committee on the Ombudsman's Office of the Argentine Congress—the body responsible for appointing NPM members and to which the CNPT is accountable for under Act No. 26,827—at which the CNPT members' term of office was confirmed.

The CNPT also reported the obstruction to the SPT, which, in turn, sent a confidential note to the State dated 1 April 2025, recalling that "in accordance with the OPCAT and Act No. 26,827 governing the National System for the Prevention of Torture in Argentina, the NPM must be able to exercise its functions at all times, in a continuous, independent and effective manner" and that "This includes unrestricted access to all places of deprivation of liberty, irrespective of any ongoing administrative or institutional processes for the renewal or appointment of its members". The SPT therefore recommended that the State "proceed as a matter of urgency with the appointment of CNPT members whose terms of office have been extended and the filling of such positions as are vacant due to resignation or death, in order to preserve the legitimacy and institutional continuity of the mechanism", and further noted that "At the same time, **it is essential that, in the interim, current members be guaranteed full exercise of their functions, in particular access to all places of deprivation of liberty, in compliance with the international obligations undertaken**



by the Argentine State". To the best of the CNPT's knowledge, this note has not been responded to by the State.

However, despite the SPT's clear note and the summons issued by the Congressional Committee on the Ombudsman's Office, the Argentine Executive continued to obstruct the NPM's mandate. On 11 April 2025, the Under-Secretariat for Prison Affairs itself denied a broad request for information concerning persons deprived of their liberty within the scope of the Federal Prison Service, once again demanding evidence to verify the members' appointment.

It should be noted that these serious threats to the NPM's independence and the concrete obstruction of monitoring are taking place in a national context of profound regression in the field of human rights and particularly of implementation of policies and practices that disregard the rights of persons deprived of their liberty, as explained in detail in this report.

Therefore, we believe that a timely and effective recommendation by the CAT—in line with the SPT's statements—will certainly contribute to safeguarding institutional integrity and ensuring the continuity of the NPM and the National System for the Prevention of Torture in the face of potential encroachments by the Argentine Executive, thereby preventing Argentina from failing to comply with the obligations assumed upon ratification of the OPCAT.

Finally, we inform that the Congressional Committee on the Ombudsman's Office of the Argentine Congress has recently initiated the selection process for the heads of the Office of the Ombudsman for the Prison System and the National Ombudsman's Office. According to the schedule, on 5 November the Congressional Committee will submit a draft resolution to both Chambers of Congress for consideration and subsequent voting.

To date, the process for the appointment of CNPT members has not yet begun.

› Status of Local Mechanisms for the Prevention of Torture

In line with the principles of coordination and cooperation governing the operation of the National System for the Prevention of Torture (SNPT), the CNPT has adopted an active policy of technical and institutional support to provincial jurisdictions, with the aim of ensuring that all of them have Local Mechanisms meeting the standards established under the applicable legal framework.

As a result, there has been sustained growth in the number of Local Mechanisms that were established and are operational, rising from five at the time of creation of the CNPT in 2018 (Chaco, Mendoza, Corrientes, Misiones, and the Local Mechanism at the federal level)¹³ to sixteen at present. This increase materialized with the establishment of the Local Mechanisms for the Autonomous City of Buenos Aires in 2019; for Jujuy in 2021; for Salta,¹⁴ Santiago del Estero, Tierra del Fuego, Antarctica and South Atlantic Islands, and Tucumán in 2022; and for Chubut, Entre Ríos, and Neuquén in 2023; along with the appointment of the Local Mechanism for the Province of Buenos Aires.¹⁵ Finally, in May 2025, the Local Mechanism for the province of San Juan was established, although it has yet to be incorporated into the Federal Council of Local Mechanisms, which is expected to take place this year.

Notwithstanding these advances, significant challenges still remain regarding the full territorial implementation of Local Mechanisms. In this regard, it should be noted that the provinces of Río Negro, La Rioja and Santa Cruz have enacted laws establishing their respective Local Mechanisms but have not yet ensured their effective operation. In order to address this issue, the CNPT has carried out specific actions to promote the establishment of Local Mechanisms in these jurisdictions, including institutional visits, meetings with provincial authorities and coordination within the framework of the Federal Council of Local Mechanisms (CFML), with the aim of urging the provinces to move forward with their effective implementation. In the case of La Rioja, progress has been made in the process of appointing authorities, while in Río Negro and Santa Cruz, the CNPT has sent notes and held successive meetings with local authorities to promote the pending appointments and the implementation of the respective Local Mechanisms. However, to date, these Local Mechanisms are not yet operational.

Likewise, the provinces of Catamarca, Córdoba, La Pampa, Santa Fe, San Luis and Formosa have not yet enacted laws establishing their Local Mechanisms.¹⁶ The CNPT has visited all these jurisdictions, at which meetings

13. Under Article 32 of Act No. 26,827, the Office of the Ombudsman for the Prison System was designated as the Local Mechanism for the Prevention of Torture at the federal level.

14. Even though the Local Mechanism for the province of Salta was operational when the CNPT was created, its activities ceased upon expiry of its members' terms of office and were reinstated in 2022.

15. The Provincial Commission for Remembrance (CPM) was designated as an ad hoc Local Mechanism in the Province of Buenos Aires by the Federal Council of Local Mechanisms, upon the CNPT's proposal, in accordance with Article 22(h) of Act No. 26,827, until such time as the province enacts legislation creating or designating a local mechanism.

16. The Province of Buenos Aires also has not enacted the relevant law; however, it currently has a Local Mechanism for the Prevention of Torture as explained above.



were held with local authorities and civil society actors in order to promote the creation of their respective Local Mechanisms. In addition, in all reports submitted to the provinces, the CNPT has recommended the creation and implementation of their respective Local Mechanisms.¹⁷

Among operational Local Mechanisms, particularly noteworthy is the case of the province of Chaco, where, in December 2024, Ms. Bashé Charole, a representative of indigenous peoples, took office as President of the Committee. She is the first indigenous woman to head a Local Mechanism for the Prevention of Torture and was elected unanimously by her peers.

One of the most difficult challenges faced by operational Local Mechanisms is the lack of their own budget and administrative autonomy. For instance, the Local Mechanisms for the provinces of Chubut, Mendoza and Tucumán lack specific budgetary allocations to carry out their work, while others depend financially on other areas of government—usually on provincial legislatures—¹⁸and have very limited allocated budgets, which compromises the principles of autonomy and independence set forth in the OPCAT, Act No. 26,827, and provincial laws. In the case of the Local Mechanism for Salta, although it has a small allocated budget, its autonomy is even more compromised, as its budgetary allocation falls within the scope of the Ministry of Government (Argentine Executive), which prevents the Local Mechanism from managing its affairs.

Even among Local Mechanisms that have their own budget and autonomy for its execution, there have been severe budget cuts, particularly in the case of the Local Mechanism for the province of Chaco, whose budget has significantly decreased in real terms over the past two years¹⁹ and will be 10% lower for the upcoming fiscal year 2026 than for 2025.

In some cases, this financial situation has even prevented Local Mechanisms from conducting visits to facilities located far away from the main urban centres of their respective provinces, due to a lack of adequate means of transport. Consequently, notes have been sent to provincial authorities requesting that the necessary budgetary resources be provided in order to ensure the proper operation of Local Mechanisms.

17. CNPT. Inspection Reports. Available [here](#).

18. The Local Mechanisms for the provinces of Chubut, Corrientes, Entre Ríos, Mendoza, Misiones, Neuquén, San Juan, and Tierra del Fuego, Antarctica and South Atlantic Islands depend financially on provincial legislatures.

19. The situation is worsened by the fact that the reduction has been made in current expenditure items, which hinders territorial deployment for the ordinary course of activities. These expenses are being covered with members' personal resources.

Another cause for concern regarding operational Local Mechanisms is the failure to meet the complete membership requirement set forth in local legislation and the principles established under the OPCAT. As of today, the provinces of Jujuy, Salta, Tucumán, Mendoza, Entre Ríos and Chubut do not have all of their members in office.

In the case of Mendoza, the provincial law under which the Local Mechanism was created was amended in 2020, reducing the participation of representatives of non-governmental organizations and, more concerning, since then, the selection process for these representatives has not been initiated. As a result, the Local Mechanism is currently composed solely of the Ombudsman for Persons Deprived of Their Liberty and representatives of the Chief Public Defender's Office, the provincial Executive, and the provincial Bar Association.

In other provinces, certain positions are vacant due to the death of some members or the expiry of their term of office, without new appointments having been made. This is the case in the province of Jujuy, where, under provincial law, the Local Mechanism must be composed of a representative of the Executive, a representative of the Legislative Branch, and a representative of non-governmental organizations, which also form part of an Advisory Council. At present, only the representative of the Legislative Branch is serving office.

In other Local Mechanisms, only members proposed by non-governmental organizations or representatives of judicial bodies or public defender's offices are in office. In these cases, in general, the failure to appoint representatives of branches of government as provided for by law—such as representatives of the Legislative and Executive Branches—has, in practice, resulted in institutional weakening, reflecting a lack of support for Local Mechanisms. This is the case of the Local Mechanism for the province of Chubut, which, since December 2023, has had no representatives of either the Executive or the Legislative Branch. Similarly, in Salta, the representative of the Executive has yet to be appointed.

The most concerning case is that of the province of Tucumán, as the lack of a complete membership, among other factors, has been used by the provincial Judicial and Executive Branches as grounds to challenge the authority of members in office and prevent their access to places of detention.

The province of Tucumán enacted a law establishing its Local Mechanism in 2012, which was amended in 2020, but the Local Mechanism did not be-



come operative until 2022, once all of its representatives had been appointed. Under the law in force, the Local Mechanism is composed of representatives of the provincial Legislature, the Public Prosecutor's Office, the Office of the Public Guardian and Defence, the Secretary for Human Rights (Executive Branch), and three representatives of civil society.

Although all of the members were appointed, only those nominated by civil society organizations took office. Despite the lack of resources and support from other members, the representatives of civil society promptly began conducting monitoring visits to places of detention, submitting the relevant reports and, on several occasions, sending notes reporting serious incidents to judicial authorities. For such purposes, the CNPT provided institutional, technical and, on occasion, financial support. Furthermore, the Federal Council of Local Mechanisms (CFML) decided to formally incorporate the Local Mechanism for Tucumán.

Over time, local authorities gradually restricted the Local Mechanism's activities by denying access to detention centres, interviews with persons deprived of their liberty, and requests for documentation. The situation deteriorated further on 30 July 2024, when a commissioner was assaulted by police officers during an inspection, which led to a criminal complaint in which the CNPT is acting as criminal complainant, given the institutional seriousness of the incident, which not only constituted an attack on the commissioner's freedom and physical integrity but was also specifically aimed at directly obstructing the functions and powers of the SNPT. Despite the simplicity of the case and the identification of the perpetrator, the judicial investigation has not progressed significantly.

In view of this, the CNPT also sent formal notices and conducted working sessions and institutional visits. In addition, the CFML reaffirmed its recognition of the Local Mechanism and urged the three branches of government to ensure its operation, though no progress has been made in this regard. On the contrary, obstructions have intensified in a provincial context of serious regression in the rights of persons deprived of their liberty and increasing police violence.²⁰

This situation also drew the attention of the Supreme Court of the Province of Tucumán, which, on 29 November 2024, within the framework of collective *habeas corpus* proceedings concerning detentions in police stations, urged the Executive Branch to convene the first meeting of the Local Mechanism with its complete membership "so that, once the meeting is declared

20. CNPT (2025). Follow-up Report on the Province of Tucumán, Resolution 22/2025. Available [here](#).

open, the members, together with the other bodies within the Executive responsible for prison matters, may develop an urgent contingency plan to address the overcrowding of persons deprived of their liberty”.

However, more than ten months after this clear ruling by the province’s highest court, the provincial Executive Branch has not complied with the order and has not convened a meeting of the Local Mechanism with all its members. Furthermore, as of the date of submission of this report, the term of office of the representatives of civil society is about to expire, with no process having been yet initiated for the appointment of new members and without the previously appointed members having effectively taken office.

In addition, with a view to consolidating a federal strategy for the prevention of torture, the CNPT has promoted and coordinated collective working spaces through the Federal Council of Local Mechanisms, holding regular and special sessions to address the specific situation of each jurisdiction, agree on common criteria for institutional design, and promote actions aimed at ensuring the complete membership of existing Local Mechanisms as well as the creation of those still pending.

In all of these jurisdictions, the CNPT has emphasized the need to ensure an institutional model that meets the minimum requirements established under Act No. 26,827 and international guidelines: creation by law, functional and financial independence, inclusion of representatives of civil society, and provision of adequate budgetary resources. These efforts are complemented by the CNPT’s active participation in provincial debates, technical training activities, the preparation of regulatory inputs, and the provision of advice to legislative teams.

D. Definition and Criminalization of the Offence of Torture (Articles 1 and 4 of the Convention)

No changes have been made to the definition and criminalization of the offence of torture. As a positive development, it should be noted that the CNPT has prepared and submitted a draft bill aimed at redefining the criminal offence of torture established under federal criminal legislation²¹ in order to align the definition of torture and other cruel, inhuman or degrading treatment or punishment with international standards, harmonizing the

21. Draft bill to amend the Criminal Code submitted by the CNPT in 2022 concerning the criminalization of torture. Available [here](#).



provisions of the United Nations Convention and those of the Inter-American Convention to Prevent and Punish Torture. Among the main pillars of this initiative are the explicit inclusion of the offence of “cruel, inhuman or degrading treatment”, as well as changes to the current sentencing ranges established under the Criminal Code, with a view to harmonizing sentences for offences that share essential elements but differ mainly in the degree of suffering inflicted on the victim.

The draft bill also proposes a broad interpretation of the concept of “deprivation of liberty”, so as to equate deprivation of liberty taking place in public and private settings. In addition, it provides for the removal of the reference to “private individuals”, and is thus more precise about the identity of the perpetrator of the offence of torture. Accordingly, the bill expressly establishes federal jurisdiction over the investigation and prosecution of torture and ill-treatment offences and provides for the suspension of the statute of limitations in such cases, in line with the non-applicability of the statute of limitations provided for in international law. Finally, the bill emphasizes the State’s duty to strictly comply with the relevant international rules and standards.

On 6 November 2024, Senator Silvia Sapag formally submitted the CNPT’s draft bill as a bill.²² Unfortunately, no progress has been made in the legislative process.

E. Practices of Torture and Ill-Treatment Identified in Custodial Settings (Articles 2, 12 and 16 of the Convention)

The National Register of Torture and Ill-treatment kept by the CNPT contains information on cases identified during monitoring visits to places of detention²³ and systematizes information produced by other SNPT actors, many of whom keep their own records. This makes it possible to document the acts of violence most frequently identified within the criminal system, based on the testimonies of persons who experienced such acts while in State custody. A detailed analysis of these accounts allows for the identification of a series of practices and their characterization in terms of their context and the methods and instruments used. These dimensions reveal

22. File 2188/24 of the Argentine Senate, submitted by Senator Silvia Estela Sapag together with eight other Senators. Available [here](#).

23. Within the framework of the “Operating Procedure of the National Register of Torture and Ill-treatment” (RNT), approved under CNPT Resolution 131/2023. Available [here](#).

their methodical, systematic and recurrent nature, that is, they take place repeatedly over time and often affect numerous individuals, which suggests that they have become institutionalized practices.

It should be noted that these are not the only forms of violence occurring in such contexts, nor are they necessarily experienced by all of the persons deprived of their liberty. The extent to which these situations are detected and reported varies depending on the type of practice and the territory concerned.

The Register also includes allegations of exceptional incidents, given the seriousness of the incidents. The main aspects related to this phenomenon are described below.

Violent Practices in Prison Services:

› The “Welcome” Ritual: Beatings, Psychological Torture, Stress Positions and Humiliating Practices upon Admission to Prison

Rituals demonstrating authority and power, known in Argentine prison culture as the “welcome”, are used to intimidate and subdue persons deprived of their liberty upon their admission to prison. In many cases, these practices include references to the offences committed and threats of potential assaults, from both other inmates and custodial officers. Such acts typically involve punching, kicking and positional torture. They generally occur while the individuals are being physically restrained and subjected to stress positions (often lying face down on the floor or kneeling, handcuffed, and sometimes simultaneously subjected to forced nudity). Repeated and consistent allegations of these practices have been received from provinces such as Formosa, Jujuy, La Rioja, Tucumán and Santiago del Estero. In particular, in the case of Jujuy, allegations were made that this practice extends over time, as newly admitted persons, under the pretext of being “under observation”, are subjected to several days of solitary confinement under highly restrictive conditions, including deprivation of personal belongings, denial of communication, and repeated body searches. In addition, they are forced to comply with arbitrary orders and are physically assaulted if they offer passive resistance.

Among the most recent “welcome” rituals are those that took place upon the admission of persons to new prison facilities and sectors inaugurated in Tucumán in December 2024. Some of the allegations consistently described how new inmates were received by a group of unidentified prison officers



and forced to stand in line²⁴ for long periods of time, under the sun, and exposed to high temperatures.²⁵ During that time, they were ordered to look down, keep their hands behind their backs, and remain still, facing beatings if they failed to comply. Afterwards, they were taken to an area without CCTV coverage, where officers punched them in the face and body, insulted them, and threatened to make their situation worse. In the same context, several interviewees reported particularly harmful acts targeting heads and ears—known as “plaf-plaf” (blows to the ears)—and lashings with ropes.

› **Beatings, Asphyxiation and Positional Torture as Prison Responses to Detainees’ Requests to Exercise Their Rights**

Places of detention are generally characterized by unclear and ineffective formal channels for submitting requests or complaints. Persons deprived of their liberty are often uninformed about these channels and/or receive no responses from prison administrations. In some cases, the complaints made by persons deprived of their liberty result in retaliatory beatings while they are placed in defenceless positions. According to certain allegations, those who persist with their requests may be violently taken to isolated areas, where several officers handcuff, punch and kick them. The most common restraint methods used during such transfers include “*criqueo*” (lifting jack), which involves handcuffing with both arms behind the back and raised unnaturally above head height, causing pain; “chokehold”, which involves compressing the neck with the forearm to reduce oxygen flow to the brain and overcome resistance; and the “*barquito*” (little boat) position, also called “*chanchito*” (little pig) or “*escorpión*” (scorpion), which involves binding or handcuffing the limbs together behind the back, forcing the person to lie face down or prone. These practices were mentioned in some specific testimonies collected in Formosa, Salta, Río Negro, Santa Fe, Catamarca, Jujuy, La Rioja, Entre Ríos, Santiago del Estero, San Juan, Tucumán and Río Negro. For example, in Catamarca, more severe beatings in a specific area of the facility known as “the tower” were reported. Some specific testimonies stated that victims were suspended by their upper limbs from a pole or staircase, and/or restrained in the “barquito” position described above, remaining in such conditions for several hours.

In the most extreme cases, certain inmates’ complaints have resulted in the use of asphyxiation methods, such as the so-called “wet submarine”. Allegations of this practice were received from La Rioja, Tucumán and San-

24. In the case of men transferred to the “Benjamín Paz” Prison Complex, for approximately 45 minutes; in the case of women transferred to the “Delfín Gallo” Women’s Prison, for several hours.

25. During the season in which the transfers took place, the average maximum temperature is around 30 °C, with peaks reaching 33 °C in December. See this [link](#).

ta Fe and, to a lesser extent, from Misiones, Jujuy and Salta. Although in isolated cases, some persons reported that their heads were forced into toilets, which caused both humiliation and near-drowning, as described in some interviews conducted in Santa Fe. In Jujuy, a similar method was reported, which entails placing a cloth—often a towel, rag or blanket—over the victim's face while water is poured continuously, making it difficult to breathe; the victim is tied hand and foot behind their back throughout the process. Similar allegations were received in Santa Fe, where this practice is locally referred to as the “Russian submarine”. In the same province, testimonies described asphyxiation with plastic bags, a method known in local prisons as the “dry submarine”.

Some persons deprived of their liberty reported having been subjected to a method known as “*pata-pata*”. In Salta, detainees recounted having been beaten on their ankles and soles of their feet with sticks or batons. According to testimonies, these are often official batons; however, in Tucumán, some victims stated that aggressors used “rods” or “tree branches” (sic). In Tucumán, it was also reported that, in some cases, freezing water was poured over victims after the beatings—a method known as “the shower”—which victims identified as a concealment strategy aimed at reducing the visibility of injuries and bruises resulting from the assaults.

Among the most serious cases involving persons under physical restraint, sexual violence was reported in Formosa, La Rioja, Jujuy, Tucumán and Santa Fe. The victims of several of these acts were cisgender women, transgender women, and other persons from the LGBTQ+ community. This form of violence was described as occurring in particularly vulnerable contexts. Allegations indicate that the acts were committed while victims were bound, sometimes clothed and sometimes not. In the most extreme cases, sexual assaults were reported involving the insertion or simulated insertion of objects into the anus.

› Physical Restraints and Forced Medication as a Method of Suppressing Personality

Cases have been documented and addressed involving mechanical and/or chemical restraints not necessarily based on medical criteria, and not seemingly used as exceptional measures or a last resort. These incidents are part of a broader pattern of combined aggression, with individuals being forcibly placed on beds or stretchers with their hands and feet restrained—using handcuffs, straps, or fabric ties—and subsequently injected with or forced to ingest medication that induces drowsiness for several days.



This practice has been particularly reported in the province of Córdoba, where restraints are often ordered by security staff and subsequently validated by health staff. Persons are usually kept in “boxes” (small temporary holding areas or “lion’s cages”) before being transferred to the Psychological Assistance Centre (CPA), which also reports to the provincial prison service. According to testimonies, while restrained and under the effects of medication, they had no access to toilets and thus had to urinate and defecate on the bed, with limited access to food and water.²⁶

Forced medication was also detected, although less frequently, in other jurisdictions such as Corrientes, Entre Ríos, Mendoza, Catamarca and Misiones. The most serious allegations collected in Corrientes show a close connection between forced medication and solitary confinement, frequently linked to prisons’ mental health units. Among the most paradigmatic cases was the use of chemical restraint during the beating of a transgender woman. In Mendoza, these types of acts were committed mainly against women, both cisgender and transgender. During inspection visits, cases were identified where individuals were injected with toxic doses of medication, subjected to severe solitary confinement, and forcibly restrained in a harmful manner.

› **Special Task Forces and the Excessive Use of Less-Lethal Weapons in Response to Prison Conflicts and Collective Protests**

Information gathered to date indicates that, across various territories, less-lethal weapons are misused with varying frequency and intensity; in particular, shotguns firing kinetic impact projectiles (regular shotguns loaded with so-called “anti-riot” ammunition) are used as a means of intervening in fights between inmates or of putting an end to collective protests. Similar testimonies were collected in several parts of the country, including the Province of Buenos Aires, the federal jurisdiction (federal prisons), and the provinces of Catamarca, Corrientes, Chaco, Entre Ríos, Río Negro, La Rioja, Mendoza, Salta, Santa Fe and Tucumán.

In the most extreme cases, these special task forces were reported to have entered (closed) housing units firing “rubber bullets” and indiscriminately deploying chemical irritants over the entire inmate population, regardless of whether or not the individuals were involved in the altercations being suppressed. A paradigmatic case was documented in the Río Negro Prison Service, where an inspection visit conducted in 2023 found several individuals with marks from projectiles on different parts of their bodies,

26. In the most recent inspection, the presence of viscous fluids next to stretchers was confirmed.

including an eye injury, resulting from this type of disproportionate intervention. Similar allegations were received from the provinces of Corrientes and La Rioja.

According to some accounts, these operations are conducted by units with specialized training in conflict management; however, their actions appear to fall outside the legal parameters governing the proportionate and rational use of force. In this regard, there are shortcomings in specific regulations on the use of these types of weapons in prison settings as well in staff training, and a lack of accountability mechanisms.

Victims reported that, after certain incidents, they were forced to line up, kneel and/or face the wall, at which point they were subjected to beatings of all types, particularly with batons. According to some testimonies collected in Salta, victims were forced into humiliating positions, such as doing push-ups or jumping “like frogs” (sic). Another distinctive incident took place in Santa Cruz, where a special task force forced victims to lie on the floor, covered their heads with blankets, and beat them with sticks while in that position. Within the Federal Prison Service, reports have also described violent entries involving rubber-bullet gunfire, after which the entire population in the housing unit was forced into a corner of the ward, where they were pressed together with shields and beaten with batons, a practice known in local prison jargon as “human pile”. In La Rioja, allegations were received indicating that, on several occasions, dogs from the Canine Division were used to intimidate and bite inmates who jointly demanded access to telephones or other basic rights.

Police Violence:

› Violence and Unlawful Interrogations during Police Arrests

A recurring context in which allegations of aggression have been made is arrests in public places in situations of flagrante delicto, as well as court-ordered detentions in the context of house searches. The most extreme cases involve beatings both at the time of arrest and upon entry into police stations. Allegations of such incidents have been received from several parts of the country, including Chaco, the Autonomous City of Buenos Aires, the Province of Buenos Aires, Entre Ríos, La Pampa, Río Negro, Santa Fe, Salta, and Santa Cruz.

Accounts provided by detainees describe severe beatings given once they were already subdued, on the floor, and handcuffed. Reference was also



made to compression manoeuvres, consisting of placing a knee and/or boots on the back, torso, neck or head, which causes not only pain but also asphyxiation. Particularly serious incidents were reported in Salta and Entre Ríos, where, according to some testimonies, rubber bullets were fired at detainees above the waist and in the face. In addition, according to particularly serious testimonies, during house searches in private homes in the Province of Buenos Aires, police officers subdued and aimed their firearms at children and adolescents.

Findings on this matter indicate that, upon admission to police facilities (police stations or other outposts), violence often intensifies, involving particularly severe methods of torture. In La Rioja and San Juan, allegations were received concerning the use of the “*barquito*” practice described above as part of the welcome ritual. The most serious testimonies indicate that such practices sometimes last for several hours, occasionally outdoors and under adverse weather conditions. Furthermore, some individuals in La Rioja reported having been subjected to the “dry submarine” practice while in that position. In San Juan, it was further alleged that cold water had been poured over them in that context. In some jurisdictions including Chaco, the Province of Buenos Aires, and Santiago del Estero, some interviewees reported having been subjected to coercive interrogations by plainclothes officers from special divisions or investigative brigades. Moreover, information was received regarding incidents in the provinces of La Rioja and San Juan, where members of investigative brigades used electric shocks as a method of obtaining information.

› **Repression by Special Task Forces at Police Stations and during Transfers**

Allegations were received about the misuse of less-lethal weapons in the face of conflicts or complaints from persons deprived of their liberty also in custodial contexts in police facilities. In the accounts received, the use of pepper spray and rubber bullets was mentioned. In a specific event recorded in La Rioja, in addition to shots and the use of pepper spray, the Infantry Group forced the inmates to perform a “human pile” inside the dungeon. In Santiago del Estero and the Province of Buenos Aires, similar allegations were received, which specified that people had been forced to strip naked, show their genital cavities, jump and/or throw themselves to the floor or squat. Then, they were beaten with sticks and sprayed with pepper spray and water from hoses.

It should be added that special task forces that carry out search procedures also carry out transfers. In this context, a number of situations where per-

sons deprived of their liberty in police stations were transferred to new prison units²⁷ of the prison service of Tucumán were highlighted as especially violent. People reported that they were handcuffed and beaten with sticks, kicked and punched. They stated that they were threatened, forced to declare their crimes and insulted. As part of this context of subjugation and humiliation, some of them were forced to sing songs and read bible verses.

› **Police Violence in Public Spaces. Differentiated Victimization: Low-Income Settlements and Young People**

On several occasions, persons deprived of their liberty in police stations but also in interviews with members of local-based social organizations have stated that it is common in neighbourhoods where people experiencing homelessness, street vendors and young people live or move for police officers to harass them or threaten them with death and/or with forged legal cases.

A particular example of harassment targeting low-income neighbourhoods and people by police forces was identified in Tucumán. There, the repeated deployment of a procedure known locally as “*trencito*” (little train) was reported. This consists of the entry to the neighbourhood by special police forces, who march through the streets formed in ranks with shields and covered faces, followed by motorized police and police cars. In this context, they ask people to identify themselves and force them to enter their houses. Some testimonies say that they have entered houses without a warrant and even seized vehicles unlawfully. They have also broken doors and furniture inside the homes and even personal belongings have been stolen. In an operation carried out in late 2024, more than 100 people were forced into police cars and then transferred to police stations. It is mentioned that entire families were directed to police units where background checks were carried out.

Of particular concern are cases of police violence in which the victims were adolescents and young people under 21. In particular, similar allegations were received in Chaco, the Autonomous City of Buenos Aires, the Province of Buenos Aires, San Juan, and Santa Cruz. One of the most paradigmatic cases happened in Chaco, where a teenager reported that he had been attacked more than once by police personnel both on the streets and inside police stations while accused of alleged theft. Among the practices reported, he mentioned that a bag was placed on his head and that he was thrown to the floor where he was beaten on his face, legs and arms. He also underwent the

27. Built because of the serious problems of overpopulation under police custody registered in the province.



practices known as “plaf-plaf” (blows to the ears) and “wet submarine”. On another occasion, he noted that he was forced to undress and do push-ups while police officers beat him on different parts of his body.

F. Police Action (Articles 2 and 16 of the Convention)

Arbitrary Detentions

The problem identified by the CAT in the combined fifth and sixth reports regarding arbitrary detentions is still noted, both on the part of federal police and, especially, the provincial security forces. According to the information obtained,²⁸ these types of detentions occur in different ways: those that are carried out without a warrant for the alleged commission of a crime or a minor offence and those that are carried out to determine the identity of people on the streets.

Within this framework, police practices have also been found in different jurisdictions consisting of charging people with crimes such as “resistance” or “attack on the authority” and minor offences such as “loitering” with the aim of legitimizing detentions that were strictly aimed at population control or that arise from the refusal of persons facing practices of police harassment.

It should be added that these arbitrary detentions continue to occur with special emphasis on certain territories and social sectors, since they are directed toward young people from low income sectors. In the case of the federal forces, such arbitrary detentions are carried out especially in the context of public demonstrations.

In several municipalities in Argentina, it has been detected that police powers are formally or informally given to municipal guard groups, including powers to carry out deprivations of liberty and searches and to carry less-lethal weapons such as Byrna or Taser guns. These municipal patrols are also aesthetically assimilated to the police forces, generating confusion about the real scope of their powers. This practice is implemented in the context of policies of control and persecution of people experiencing homelessness who spend the night in public spaces and informal workers, such as street vendors or “car watchers”, with practices having been documented in this context that are compatible with cruel, inhuman and/or

28. To further address this issue, the CNPT approved a “Report on the use of police powers for deprivation of liberty without a warrant”, Resolution 58/2023. Available [here](#).

degrading treatment.²⁹ With regard to these groups, there is also concern about the allocation of diffuse powers that, in practice, can generate a gap of relative impunity in their actions. In particular, deprivations of liberty carried out by these agencies are not covered by the legal provisions governing police action, but are often justified by the concept of “citizen arrest” provided for in the codes of criminal procedure. This enables any person to detain another person only in cases of flagrante delicto, with the immediate obligation to place them at the disposal of the police authority. Thus, the usual procedure of these government agents ends up being treated as an exceptional and temporary power granted to individuals. In the same way, the injuries or suffering that they may cause in the framework of their actions would not be covered by the criminal offences intended to criminalize cruel, inhuman and/or degrading treatment (Article 144 bis of the Criminal Code).

By way of example of these issues, the CNPT has compiled a series of videos, available at [this link](#).

Safeguards: Problems in Access to Defence and Independent Medical Checks

In practice, shortcomings have been identified in respect of safeguards during the first moments of detention, especially in two areas:³⁰

- › The lack of access to effective defence in the first hours, usually due to a delay in communications when no criminal charge has been formalized.
- › The lack of independent medical checks: in most cases, although the regulations provide for medical checks at the time of detention, these are carried out superficially, without documentation of injuries, by doctors belonging to the same security force, and/or in the presence of police officers, which violates the objectivity and confidentiality of the examination.

29. Provincial Commission for Remembrance (2025). Special report: State violence carried out by the municipal government of General Pueyrredón. Available [here](#).

30. The CNPT has prepared reports further addressing the issue, including the following: “Preliminary report on the effective defence of people deprived of their liberty and access to justice for victims”. Available [here](#); “Report on the use of police powers for deprivation of liberty without a warrant”. CNPT (2023). Report on the use of police powers for deprivation of liberty without a warrant, *op. cit.*



Arbitrary Detentions and Ill-treatment on Discrimination Grounds

Acts of police violence and arbitrary detentions on discriminatory grounds have been recorded. In this context, LGBTIQ+ people are commonly exposed to these situations that are reinforced by old-fashioned codes of minor offences which result in discretionary and arbitrary action by the security forces. Vague and imprecise devices are used, framed in offences “against morals and good customs”, which are used to harass and deprive these people of liberty. In some provinces sanctions even still exist for “exhibitionism”, “homosexuality” and “transvestism”.

Detentions in police stations or other police facilities are particularly risky, which increases the possibility of undergoing torture and ill-treatment for persons belonging to this already vulnerable group. In this regard, situations of this nature have been identified in different jurisdictions during search procedures carried out by special task forces. The use of chemical irritants and shots with kinetic impact projectiles are common; among the most serious cases are invasive searches in full nudity, which is incompatible with human dignity. Detainees are often forced to adopt humiliating positions and to remain for prolonged periods with restraints, on their knees or on the floor.

These situations have also been registered in provinces with a predominant presence of indigenous peoples, such as Chaco, Formosa, Jujuy and Misiones, where acts of violence by local security forces have been reported, usually associated with discriminatory treatment, harassment, ill-treatment and unlawful detentions associated with their cultural identity (detentions accompanied by insults on account of their community origins). In addition, there is the aggravating factor of existing obstacles to access to justice and the lack of response by the authorities, mainly linked to cultural barriers due to the lack of or insufficient number of interpreters in police units, plus the lack of knowledge about community problems and specific regulatory frameworks.

It is worth mentioning the case of a group of women from the Mapuche Indigenous People, which occurred in 2022, who were detained in the Lafken Winkul Mapu community, located in the province of Río Negro, and underwent a series of violations of their rights. They were detained for nearly 72 hours without being given information on the reasons and then, without prior notification to their defence, they were taken to the prison of Ezeiza, located in the Province of Buenos Aires, more than 1500 kilometres away from their community and their children. All this was in clear contradiction

with international and national standards regarding the rights of indigenous peoples and women, the rights of persons deprived of their liberty to be accommodated near their homes, the best interests of children, the rights of the children of women deprived of their liberty and the right of defence.³¹

In turn, it is important to highlight the situation of women who have been formally accused and/or convicted in the context of judicial proceedings that are conducted without a gender perspective. In this regard, the CNPT has intervened in specific cases in the capacity of observer or *amicus curiae*, in coordination with other State agencies and social organizations, where some frequent problems were identified. Namely, an androcentric interpretation of criminal legal provisions;³² biases and stereotypes about the role of a good woman or a good mother, resulting in the creation of duties and demands that weigh disproportionately on them; a lack of knowledge of or overlooking at the gender-based violence experienced especially by women and LGBTIQ+ people, among other problems.

These aspects, in many cases, lead to unjust cases and convictions, which are deepened by emerging hate speech and the shutdown of State programmes aimed at raising awareness of these issues.

G. Detention Conditions (Articles 2, 11 and 16 of the Convention)

The Status of Police Facilities

The material conditions under which detention in police facilities takes place in Argentina, in general, continue to be seriously bad. Although specifics vary from province to province, based on in-situ monitoring, three groups of frequent difficulties associated with the design, maintenance and hygiene of these spaces were identified. The first is related to the minimum dimensions of cells and dungeons, space organization, and poor ventilation and lighting, among others. It is also frequent for spaces to be repurposed, with people accommodated in courtyards, hallways, offices, bathrooms or other sectors originally destined for other purposes, which

31. The CNPT interviewed the women detained and moved in court expressing its rejection and providing grounds for the review and reversal of the judicial decision on the transfer entered by the Federal Court of San Carlos de Bariloche. Available [here](#).

32. As may be the case with self-defence, in which the requirements of an ongoing aggression and the necessity and rationality of the means used are interpreted in a reductionist way, without considering the experiences of gender-based violence underwent by the women accused in such proceedings.



therefore do not have the minimum conditions for accommodation. In relation to maintenance and hygiene deficiencies, extreme cases were recorded that resulted in people with severe infections due to the presence of pests and fungi, among other health problems.

In terms of infrastructure, very small spaces have been identified. Overcrowding, in turn, means that persons deprived of their liberty do not have beds, and many have to sleep on mattresses on the floor and, when they are not enough, blankets are used. In 2023 and 2024, the CNPT even detected extreme cases where people had to sleep in the courtyards, out in the open.³³ Similar conditions exist regarding the lack of sanitary facilities, which results in people having to urinate or defecate in bottles and other containers. In addition, occupancy above the capacity of the facilities accelerates the deterioration of spaces, which can be observed in the state of walls, ceilings, bathrooms, furniture and, most concerning, in electrical installations (with frequently poor connections called “splices” where cables do not have electrical insulation).

In turn, this affects the excessively strict confinement regime to which the population deprived of liberty is subjected: they remain whole days in cells whose conditions were described above, with practically no activities, or with limited access to courtyards or open spaces. Another serious aspect is the situation of persons deprived of their liberty for minor offences, misdemeanours, and even police-sanctioned violations, who are, in some cases, even worse than the population detained for serious crimes.

What is particularly serious is that detainees remain in these spaces, under the conditions described above, for extended periods, and in some cases even serve their sentences in police facilities, as detailed below.

Within the framework of its legal powers, and in order to make an emphasis towards the resolution of this problem, the CNPT adopted the “*Guidelines on Capacity and Conditions of Detention in Places of Pretrial Detention*”,³⁴ with the aim of establishing a series of parameters on the conditions of

33. This information was obtained in the province of Tucumán, Follow-up Report on the Province of Tucumán, Resolution 22/2025 op.cit, and in the city of Rosario, province of Santa Fe, Follow-up Report on the Recommendations made by the CNPT to the Province of Santa Fe, Resolution 55/2024, available [here](#). Based on the monitoring of the CNPT and according to available information, this practice is not being implemented at the time of submission of this report.

34. CNPT (2022). *Guidelines on Capacity and Conditions of Detention in Places of Pretrial Detention*, Resolution 38/2022. Available [here](#).

habitability and capacity in this type of facilities.³⁵ We request that the CAT recommend that the State implements these guidelines.

Conditions of Habitability in Prison Units

In prison units, it has been noted that the most frequent problems are related to the following:

- › **Space design:** difficulties are observed in the distribution of spaces, ventilation, lighting, cells that do not respect the minimum footage, as well as the frequent use of collective accommodation, which is discouraged, and the repurposing of common spaces, e.g. for education or recreation, as accommodation sectors.

Furthermore, buildings located in places far from urban centres usually have problems with water, either due to frequent service cuts associated with a lack of works necessary to guarantee the supply, or to bacteriological contamination and/or high levels of concentration of minerals that affect water quality.³⁶

- › **Maintenance:** few institutional initiatives aimed at maintaining conditions in prison units were identified. Therefore, detainees often perform these tasks informally and without the necessary tools. This creates dangerous situations for their health as there are poor electrical connections, moisture and gas leaks.
- › **Space hygiene:** in most cases, there are severe cases of pests (rats, cockroaches, bed bugs, mosquitoes, among others) and no services to control them. This is combined with shortcomings in waste treatment.

In recent years—and as the only response to the increase in incarceration rates and extreme overcrowding—prison construction efforts in Argentina have intensified. Despite the fact that these buildings are new, basic living conditions such as minimum footage, lighting, ventilation and heating and/or cooling systems are not respected. Even in some cases, despite projections for a certain

35. In Argentina this includes police stations, detention centres, brigade offices, squad offices, detachments and any other space whose purpose is to accommodate people for a few hours or days.

36. In some jurisdictions, this has been brought to court by control bodies and the CNPT paid specific visits to verify measures aimed at mitigating such circumstances until supply was normalized.



capacity, there are discretionary increases. Furthermore, unsuitable or poor quality materials are used, which deteriorate shortly after use.

Finally, it should be added that buildings are not usually designed effectively in terms of the population to be accommodated considering classification or separation parameters, or statistical data on criminal matters.

On this matter, the CNPT has also established the *“Minimum Standards for Accommodation Capacity and Detention Conditions in Prison Units”*.³⁷ It is worth clarifying that there are minimum conditions that would make it possible to guarantee the dignity of people and these constitute parameters for the examination of existing prisons, but they are not ideal indicators or scales for the design of projects for the construction of new prisons.

Health and Food

Systematic practices of violation of the right to food are detected in detention facilities, such as inadequate provision of rations, low-quality food, uncooked food and a lack of hygiene measures in their preparation or distribution, as well as the absence of special diets for people with specific medical needs. This situation is particularly critical in contexts of overcrowding and temporary accommodation facilities, such as police stations³⁸ and detention centres.

With regard to the right to health, there are constant allegations of structural failures in prison health services, characterized by a shortage of personnel, resources and preventive medical care. This has led to a high number of deaths in custody, mainly from untreated diseases, which highlights the precarious nature of the system.³⁹

The situation is becoming worse in the context of the economic crisis, with

37. CNPT (2021). *Minimum Standards for Accommodation Capacity and Detention Conditions in Prison Units*, Resolution 16/2021. Available [here](#).

38. A special mention should be made about the case of police stations in some provinces such as Tucumán, Misiones, and Chaco. It has been detected that the State does not provide any food to detainees, and that they have to resort to the assistance of relatives and loved ones.

39. In 2024, 67% of the deaths in Argentine prisons were caused by illnesses and in almost a quarter of these cases the deceased were under 40 years of age, which could indicate an accelerated degradation of health conditions in custodial contexts.

cuts directly affecting health care, food and other essential services. In addition, serious violations of the right to mental health are documented, including the administration of psychotropic drugs without prescription or medical supervision.

In 2024, the Federal Council of Local Mechanisms issued a Declaration on the Right to Food and Health of Persons Deprived of their Liberty, in which they expressed deep concern about gaps in access to these fundamental rights and urged the authorities to take urgent measures to reverse them.⁴⁰

Mental Health

In Argentina, in recent years, mental health areas have suffered severe budget cuts, programme shutdowns and layoffs.⁴¹ In addition, there has been a sharp reduction in resources, affecting outpatient programmes, hospital adjustment and housing devices; funds for suicide prevention were reduced and there has been a shortage of essential drugs, including psychotropic drugs.

Ministry of Health Resolution 6155/2024 amended the rules governing operation authorizations for mental health institutions and services,⁴² and thus reforms were introduced that contradict the spirit of Act No. 26,657 and international standards in the field of mental health. In particular, controls have been relaxed, the hegemonic medical model has been revalued and greater room for action is allowed to psychiatrists. A policy of disability allowance cuts has also been implemented.

The progress made in previous years in decentralized care, particularly in primary care centres and general hospitals, has stalled. The sustained increase in demand has not been matched by a reinforcement in staff or in the available infrastructure. On the contrary, there has been a setback in outpatient processes and in the continuity of programmes, which has led to alarming situations such as overmedication, improper restraint and even forced supply of contraceptive medication.

In parallel, an abusive use of police protocols has been documented that tend to criminalize people experiencing homelessness with mental illness. These practices include compulsive transfers to hospitals without defi-

40. CNPT (2024). Declaration of the Federal Council of Local Mechanisms on the Right to Food and Health of Persons Deprived of their Liberty. Available [here](#).

41. In 2025, these measures were also extended to government agencies such as PAMI, ANDIS and SEDRONAR. The Laura Bonaparte Mental Health Hospital suffered a 25% cut.

42. This was previously governed by Ministerial Resolution 4103/2023.



ned clinical criteria and without considering housing alternatives or social support. Added to this is the lack of clear guidelines for the intervention of security forces in situations of mental health crises on the street, with only a few provinces having developed specific protocols. Regarding this, there have been cases of deaths⁴³ during the first moments of physical examinations of people who were going through mental health crises. Police interventions tend to address these situations from a criminalizing paradigm, escalating the use of force and precipitating physical restraint without previously resorting to alternatives of verbal support, de-escalation and psycho-social assistance, even in situations where the person does not pose a risk to their own physical integrity or that of third parties.

Lastly, there are disparate practices among jurisdictions regarding persons who cannot be held accountable and are subject to security measures. While some provinces accommodate these people in prison units—inadequate spaces that privilege a rationale of security over health—others opt for their hospitalization in general or specialized hospitals, often with police custody. Disproportionate security measures with no duration limit have also been identified, in clear contradiction with decisions of the Argentine Supreme Court.⁴⁴

H. Deprivation of Liberty Measures (Articles 2 and 16 of the Convention)

Police Facilities

As in other countries in the region, Argentina has prison overcrowding, that is, there are detainees above the accommodation capacity declared by custody and security agencies. Among the many violations of fundamental rights produced by this situation, a particular consequence stands out in our country. In view of the lack of space and the continuing increase in incarceration, in many jurisdictions people are accommodated in police stations and other detachments of the local police, sometimes for exten-

43. Ariel Goyeneche (38) in the province of Entre Ríos; Leandro Bravo (38) and Emanuel Barreto (25) in the province of Chaco; Lautaro Rose (18) in Corrientes.

44. Argentine Supreme Court Reports (335:2228) “Antuña”. Available [here](#). In this regard, the case law of the Supreme Court of the Province of Buenos Aires stands out as progressive, which has established criteria on the proportionality and timeliness of such measures, as well as guarantees for due process. Thus, the importance of setting a maximum duration limit for these measures was stressed, in order to prevent them from becoming indefinite sentences. Supreme Court of the Province of Buenos Aires, “G. J., F. A. s/ Recurso extraordinario de inaplicabilidad de ley en causa N° 69.983 del Tribunal de Casación Penal, Sala IV”, in case file P.126.897, dated 8 May 2019.

ded periods. Some even stay for years and even serve their sentences while staying there.

The standards promoted by the Committee indicate that police facilities are primarily intended to serve as a place for the custody of persons after their arrest, of those who are awaiting a court order from the acting court or during the first moments after the execution of an arrest warrant. It is emphasized that these are spaces designed for temporary stays not exceeding 72 hours, since they do not have infrastructure, services, treatment or suitable personnel for extended stays.

In contrast to these standards, prolonged stays in police facilities are a common and widespread practice in a significant part of the national territory. The information gathered by the CNPT⁴⁵ indicates that at the end of 2023 there were 13287 persons deprived of their liberty in police facilities, accounting for 11% of the total population detained in prisons and police stations in the country. This means that 1 out of every 10 prisoners are in places of provisional detention, many of which are collapsed: the official occupation registered in police facilities amounts to 136.9%.

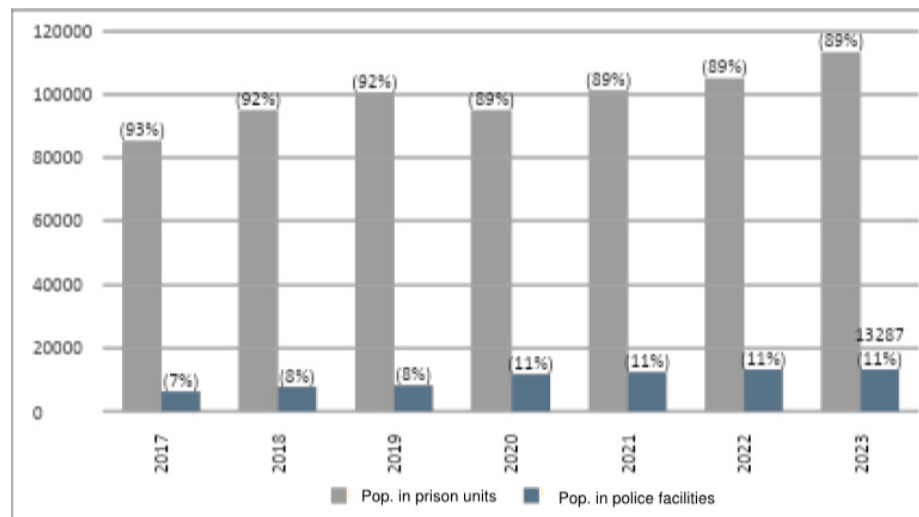
One of the most sensitive points of this issue is related to the amount of time people stay in these facilities. For 2023⁴⁶, the national average stay was 183 days, equivalent to 6 months of accommodation under conditions designed for temporary stays.

Graph: Historical evolution of the population deprived of liberty by area of detention

45. To further address this issue, see Thematic report: Deprivation of liberty in police facilities. Scope and dimensions of the issue. Approved by CNPT Resolution 43/2024, 5 June 2024. Available [here](#).

46. At the time this document was being prepared, the data for 2024 was in the last stages of the collection and aggregation process.

(prisons and police facilities). Argentina, 2017 – 2023



The data are as at the cut-off date of each year (31 December). For 2017-2021 the data used was published by SNEEP. For 2022-2023 the data used was collected by the RNLPyC Register of the CNPT.

Source: RNLPyC Register of Argentina. Prepared by the Directorate for Information Production and Systematization of the CNPT.

In this regard, it is important to note that although the Committee records prolonged stays in police facilities as a national practice, the scenario has worsened considerably in some jurisdictions. In particular, in the Autonomous City of Buenos Aires, which historically did not have this problem, the number of people detained in police stations has grown considerably since 2020, when at the beginning of the COVID-19 pandemic the Federal Prison Service restricted the entry of detainees. However, following the end of the health emergency, accommodation levels were not reduced. The data collected by the CNPT⁴⁷ show that between 2022 and 2024 the population deprived of liberty in police facilities of the City grew by 113%. It should be borne in mind that the City of Buenos Aires has its own police force—which, in general, carries out the arrests of persons accommodated in city police stations—and its own judiciary organization, but does not have its own prisons. Bills to establish the City Prison Service are currently under legislative consideration.

The number of people accommodated in police facilities has also increased in recent years in other jurisdictions. Such is the case of Mendoza, which between 2022 and 2024 registered an increase of 127%; Córdoba, with an

47. As per the data of the National Register of Places of Detention, Inmate Population and Capacity (RNLPyC) of Argentina, prepared by the National Committee for the Prevention of Torture.

increase of 117%; and Santa Fe, which registered 35% more people accommodated in police custody. It is worth mentioning the case of Entre Ríos, which, although based on a considerably smaller population in detention, reported a 346% increase. In other jurisdictions, on the other hand, there have been significant decreases in the number of persons detained in police stations, but in general as a result of the construction of new detention centres or prison units, with no reduction in the rate of incarceration. Such is the case in the province of Jujuy, which in just two years achieved a significant reduction of 77% of population detained in police stations. This was also the case in the Province of Buenos Aires, which for the same period showed a decrease of 41%. Salta also achieved a 21% decrease. Corrientes also reported 39% less confinement, over a comparatively smaller population. The situation of the Tucumán police stations stands out because, after a significant increase in the number of people accommodated in 2023, the province managed to reduce it by 19% by 2024.

Prisons

The sustained increase in prison confinement is a trend in the country and throughout the region, in line with the vast majority of regressive legislative reforms in criminal matters enacted in recent decades. The pace of this growth did not manage to be contained by the construction of new prisons or by the use of strategies to deplete confinement spaces. The use of alternative sentences and legally established devices favouring liberty continue to be of little application and, at the same time, the use of pretrial detention is far from exceptional.

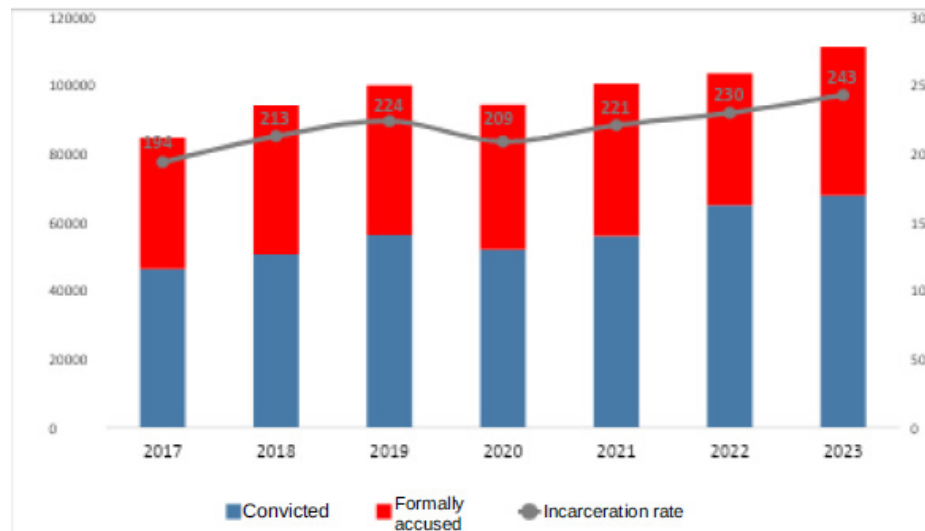
In recent years, the distribution of people based on their procedural situation has changed and the proportion of persons prosecuted has decreased relatively, from 60% to less than half of the total population incarcerated in the country's prisons. However, the number of persons in pretrial detention remains very significant. On average, between 2017 and 2023,⁴⁸ with annual variations, four out of ten people were imprisoned on pretrial detention.

The relative reduction of the number of persons deprived of their liberty without conviction, however, occurred in a context where the incarcerated population continued to grow in absolute and relative terms, as evidenced by the evolution of the rate of incarceration per 100,000 inhabitants. In this context, the absolute number of pretrial prisoners also grew year by year,

48. As pointed out in the previous section, national prison information for 2024 is currently being collected and aggregated.

as shown in the graph below.

Graph: Historical evolution of the population incarcerated in prison units by their procedural situation. Argentina, 2017 – 2023*



*To optimize graph visibility, other procedural categories with a marginal quantitative significance were excluded, such as security measures. For this extended information, see [here](#). The data are as at the cut-off date of each year (31 December). For 2017-2021 the data used was published by SNEEP. For 2022-2023 the data used was collected by the RNLPyC Register of the CNPT.

Source: RNLPyC Register of Argentina. Prepared by the Directorate for Information Production and Systematization of the CNPT.

I. Deprivation of Liberty of Boys, Girls and Adolescents on Criminal Grounds

By the end of 2023, there were 4,159 boys, girls and adolescents in juvenile justice systems throughout the country, of which 80% were under territorial modalities (3,308 young people), while 851 were housed in detention facilities.⁴⁹ With regard to the situation of these facilities in Argentina, the following most relevant problems can be mentioned:⁵⁰

Habitability conditions are poor: there are design problems associated with old constructions, initially used for other purposes and then repurposed; cells that do not respect the minimum footage, with small windows without natural light and/or ventilation and barred spaces, as well as lack of maintenance and inadequate hygiene conditions. In many cases, toilets are located outside the cells, which are closed at night, forcing young people to urinate or defecate in buckets, bags or bottles in front of the others. In addition, many facilities have sectors of total confinement for the enforcement of sanctions or for the initial period upon entry, departing from what all the standards in the field indicate.

At the same time, there is a shortage of staff and a lack of specialized training in the work teams, which is coupled with an absence of institutional policies elevating the level of the work carried out. In many facilities where there are no trained personnel or there is a predominance of a securitarian vision of operation, excessively strict regimes and disciplinary measures such as isolation, solitary confinement and suspension of educational or recreational activities are detected.

Another frequent problem is the lack of search protocols and/or training in the field, which generates abusive situations on the part of the staff, who carry out prohibited practices such as demanding nudity, intrusive body examinations, and humiliating postures, among others.

49. Based on the classification of the National Secretariat for Childhood, Adolescence and Family (SENAF), Ministry of Social Development and UNICEF in their National Survey of Juvenile Criminal Facilities and their Population, Buenos Aires, Argentina, 2023. Available [here](#).

50. To further address the issue, see the thematic report "Contributions of the CNPT to the discussion on the reform of the juvenile criminal system" prepared with the aim of contributing to the work of the Argentine Congress in the framework of the legislative treatment of bills to reform the juvenile criminal system. There, the main findings of the monitoring of facilities for boys, girls and adolescents were documented, as well as the main observations to the bills, and a report that compiles the quantitative data systematized by the agency at the national level. Available [here](#).



It has also been found that the institutionalization of adolescents, in many cases, limits or hampers access to basic rights such as education, comprehensive healthcare, food, and family and social ties. In this regard, a large school drop-out rate has been identified in these contexts.

In jurisdictions that do not have admission and referral centres or specialized teams that intervene during the first hours of detention, police personnel often take over and practices have been detected including frequent violence, abusive personal searches, massive operations known as “razzias”, and different dynamics of bullying of the police forces on young people, which result in detentions without a warrant or in the application of criminal charges such as resistance to the authority or minor offences, among others.

Criminal interventions have also been recorded against non-punishable adolescents –under 16 years of age—who have been reported for criminal acts or under exceptional measures, despite it being strictly prohibited by Act No. 26,061 on the Comprehensive Protection of the Rights of Boys, Girls and Adolescents. Sometimes these measures are enforced in closed facilities, and some of them are placed under the custody of prison staff and under severely strict regimes.

Finally, it should be noted that there are cases of suicide and suicide attempts in police stations and juvenile criminal responsibility centres, sometimes associated with staff negligence, either because of confinement in individual cells or detentions in the context of mental health or withdrawal crises, a practice that is totally prohibited and that must be addressed from a healthcare perspective.

Initiative for the Reform of the Juvenile Criminal System⁵¹

In mid-2024, the Argentine Executive sent Congress a bill to reform the “Juvenile Criminal System”⁵², a rule setting the minimum age of criminal responsibility and establishing the procedure applicable to adolescents charged with a criminal offence. This bill is part of several legislative initiatives promoted by different parliamentary blocs with the aim of reforming this regime.

51. The CNPT and thirteen agencies have issued an opinion on the bill on Juvenile Criminal Responsibility, 14 May 2025. Available [here](#).

52. Decree-Law 22,278 (1980). Juvenile Criminal System. Available [here](#).

At the time of the closing of this report, the bill has received a majority opinion in the Chamber of Deputies, which, among several worrying aspects, proposes to lower the minimum age of criminal responsibility to 13 years. In this regard, it should be noted that the Committee on the Rights of the Child, in its last report on Argentina, addressed this issue and, *inter alia*, urged the State to keep the minimum age of criminal responsibility at 16 for all kinds of crimes and refrain from lowering the age.⁵³

Furthermore, it is also a matter of concern that the bill provides for the accommodation of minors in prisons. In this sense, it establishes that they could be deprived of their liberty in a “separate section of a prison” without any proposal for implementation, so that such “separate sections” in practice can hardly operate with a different rationale than that existing in the rest of the prison wards.

J. Boys, Girls and Adolescents Institutionalized under Exceptional Protection Measures

Exceptional measures for the protection of rights under Article 39 of Act No. 26,061 refer to State interventions carried out in a subsidiary, temporary and extraordinary manner, aimed at separating boys, girls and adolescents from their family environment or habitual environment in order to prioritize their best interests, until the grounds that are the basis for the measures disappear.

Contrary to what is established in the national regulatory framework, the CNPT has detected through monitoring that these measures are applied in unauthorized cases and/or in devices not suitable for these purposes. In detail, this includes cases in which these measures were taken due to a shortage of resources or because the parents were homeless, or for concealed criminal reasons (Article 41 (e) and (f)).

With regard to the first case, in the province of Misiones, the use of these measures has been reported with respect to boys, girls and adolescents aged 9, 10 and 11 who were institutionalized for long periods, which exceeds the minimum standards enshrined in Act No. 26,061 and the Convention on the Rights of the Child, in institutions guarded by prison staff. The CNPT requested information and access to the files, following which the CNPT

53. Committee on the Rights of the Child, Concluding Observations on the Seventh Periodic Report of Argentina, 18 October 2024, par. 52. Available [here](#).



noted that these interventions were based on the lack of financial resources of their parents and that, in addition, they had been validated by judicial authorities, the provincial children's ombudsman, and provincial and local administrative authorities. In other words, the boys, girls and adolescents had been arbitrarily separated from their parents and were under a regime of deprivation of liberty, without access to school or other educational activities, without mental health treatment, in prison custody.

As regards the second case, the application of exceptional protection measures has been reported with respect to offences by non-punishable boys, girls and adolescents. In other words, although the national legislation establishes that minors under the age of 16 are not criminally responsible for their acts, in practice, there are jurisdictions where they are deprived of their liberty, in prisons, under this modality or under the concept of "security measures" (Province of Buenos Aires, and Córdoba, among others). In other cases, the measures are enforced in residences for children and adolescents without parental care.

It should be noted that prolonged institutionalization has concrete implications for the evolutionary development of boys, girls and adolescents. UNICEF promotes and supports programmes and initiatives that promote the deinstitutionalization of children and adolescents based on the harmful effects that it can have at the physical, emotional, cognitive and psychological levels, in addition to situations of violence or neglect that are prone to occurring in these spaces.⁵⁴

In this regard, exceptional events were recorded in which, due to lack of training of the personnel or lack of resources, police personnel intervened in the face of conflicts within the residences. For example, this is the case in the province of San Juan, where a particular residence saw several situations where police personnel acted on complaints from the female adolescents housed. In one of them, the procedure consisted of the sudden entry of police personnel where they broke the door and fired darts with tranquilizers. After that, the adolescents were handcuffed and beaten by police personnel. It was only when the most serious and pressing events had passed that the healthcare personnel appeared, and the adolescent victims of that situation were contained.

Although no other incidents of this type were recorded, the CNPT notes difficulties with these facilities in terms of excessively restrictive regimes,

54. Hope and Homes for Children - Unicef (2020). Beyond Institutional Care. A roadmap for child protection and care system reform for governments in Latin America and the Caribbean. Available [here](#).

which motivate complaints and injuries, and abuse on the part of the staff, among others, as well as unaddressed mental health conditions that contribute to attempted or accomplished suicide.

K. Solitary Confinement Regime (Articles 11 and 16 of the Convention)

Unregulated forms of solitary confinement are still being used and do not comply with the relevant standards, i.e. they are not used as a measure of last resort, for the shortest possible period of time and with medical and judicial supervision.

The CNPT notes that, despite the fact that their application is legally envisaged only as a penalty under the disciplinary regime and for a maximum duration of 15 consecutive days,⁵⁵ solitary confinement regimes are used as a tool for managing, controlling and disciplining the incarcerated population and their application in recent years has increased significantly.

In practice, the following forms of solitary confinement have been applied:

1. As a measure of protection for persons in vulnerable situations, which involves separating persons from the general population for the type of crime for which they are detained, because it is their first experience of institutionalization, for being complainants against the prison administration, or for their gender identity, among other reasons;
2. It is also used as a tool for the management of order and of persons classified as *conflicting*—in general, this is how the prison authorities classify those who have problems of coexistence and cannot be accommodated with the rest of the prison population;
3. When inmates enter a prison unit, during the first few days or weeks, with the official objective of observing the behaviour of those arriving, in order to define the accommodation sector according to their characteristics and profile;
4. Finally, as a management tool to achieve a unit transfer, often motivated by family closeness. Due to the lack of space in prisons, many people are housed hundreds of kilometres away from

55. Act No. 24,660 on the Enforcement of Custodial Sentences, Article 87(e). Available [here](#).



their living centres; therefore, they remain voluntarily in these sectors until they have a response to their requests for transfer on the grounds of family closeness.

In addition, in different jurisdictions, a form of confinement was identified that involves the accommodation of several persons in the same cell, usually small in size, who undergo more than 22 hours of confinement per day, for prolonged periods and in extremely poor material conditions. These group intensive lockdowns, with particular characteristics that give rise to different violations of rights, represent a form of confinement adapted to the contexts of overpopulation and overcrowding that are observed in our country.

In the facilities visited by the CNPT, it was observed that the very poor living conditions that characterize the prison units are heightened in confinement sectors. The cells are usually very small, not well lit, with precarious or non-existent electrical connections. This causes people to spend all day locked up in inhuman conditions: there is no natural and/or artificial ventilation; the lighting is very poor; there is no circulation space, in cells with terrible hygiene conditions, often with clogged toilets, and even on numerous occasions it was recorded that people sleep on mattresses on the floor.

In addition, as regards the regime observed in these sectors, people remain in their cells for periods exceeding 22 hours a day, which results in the almost total interruption of social interactions and the inability to access recreational, educational or work activities. Numerous cases of prolonged confinement were also identified, that is, one that exceeds fifteen consecutive days, which is absolutely prohibited by the standards in this field.⁵⁶

In these spaces, a higher prevalence of self-harm is detected, usually associated with the psychological impact of confinement and/or as a methodology of complaint adopted by people held in these conditions.

The Upsurge of Ill-treatment in Solitary Confinement

Various types of regimes have been identified in provinces such as San Juan, Santiago del Estero, Mendoza, Buenos Aires, Tucumán, Santa Fe and within the scope of the Federal Prison Service. These types of confinement are also often scenarios where institutional violence is intensified. The allegations received indicate that this occurs more frequently during searches and ward examination procedures.

56. These situations have caused solitary confinement and group intensive confinement to be included in the National Register of Torture and Ill-treatment of the CNPT.

In some sectors of confinement in San Juan, some testimonies were collected regarding the particularly violent entry of a tactical group into the wards. People have mentioned the use of pepper spray directly to their faces and bodies, in combination with punches, baton blows and painful and degrading grips. Testimonies were gathered on the use of a specific cell for punishment where, in particularly serious cases, some inmates had been locked up and handcuffed in a hollow hold position (which is informally known as *"barquito"*). They pointed out that sometimes they had been thrown against the wall, which in local jargon is called the *"barquito estrellado"*, meaning "crashed boat". The time they remained under these conditions ranged from a while to more than four hours. In the most paradigmatic testimonies, it was noted that they had to urinate or defecate while being restrained. Similar allegations were received in Santiago del Estero, where the most serious cases have allegedly resulted in serious hearing injuries, following the application of the method of aggression consisting of blows to the head and ears, known as "plaf-plaf".

Restrictive Regimes Classifying Persons Deprived of Their Liberty for Security Reasons

In Argentina, in recent years, systems for classifying persons deprived of their liberty for security reasons, known as **"high risk/profile"** prisoners, have been implemented in some provinces. These systems determine the application of a living regime with greater restrictions on access to rights for the persons included, mainly in relation to: their ties with relatives, close ones and their defences; transfers; access to medical care, and educational, recreational and work activities, among other aspects. They also provide for specific prison staff and differentiated accommodation sectors. Currently, such regimes are in place in Santa Fe, Mendoza and the Federal Prison Service.

There is no public and up-to-date information on the number of people under these regimes in the country. However, the CNPT found that as at February 2024 there were a total of 513 persons deprived of their liberty classified as "high profile" inmates in the Santa Fe Prison Service. Also, in the Mendoza Prison Service, 6 persons so classified have been reported as at August 2025. In the case of the Federal Prison Service, as at December 2024 there were 105 people included in the "Comprehensive Management System for High-Risk Prisoners" which operates in Federal Prison Complex I in Ezeiza and II in Marcos Paz. Given the lack of public data, it is not possible to know whether these figures have changed over time.



In **Santa Fe**, regulations on this system were added to Act No. 14,423 on the Enforcement of Custodial Sentences⁵⁷, as supplemented by Resolutions 034/2024 and 807/2024 of the Ministry of Justice and Security.

The law on the enforcement of custodial sentences provides that this regime will apply only if one of the **following** exists:

1. Participation in or relevant contacts with complex criminal organizations and/or organizations associated with drug trafficking.
2. Existing indications of participation in attacks, acts of force, aggression or threat against the public authorities, or acts of violence against individuals outside the place of custody, either by themselves or through close people or criminal organizations.
3. A history of evasion of, attack on or resistance to the police or prison authority, or participation in riots or tumult.
4. Availability of human, economic, financial, material, logistical or any other kind of resources, which would lead to the presumption of any of the aforementioned circumstances.

The **classification** of a person as “high profile” is carried out by the Ministry of Justice and Security, on the proposal of the prison administration, and governs all areas of detention or institutionalization (police, prison, health-care, educational, or other facilities, and during transfers).

With regard to **accommodation**, the regulation expressly prohibits transfer to police or other premises, except outside provincial jurisdiction. The highest prison authority determines which facilities, sectors or wards will be used for the accommodation of these detainees and sets out four minimum requirements to be met in these places: accommodation in an individual cell, an individual barred courtyard, inhibition of cellular, internet and radio frequency signals and specially trained custody personnel.

Guidelines are also established for **prison staff** allocated to this regime, including covered faces and no badges or identification plates. In order for them to be identified, if required in disciplinary or judicial proceedings, they will have an assigned number associated with a record in classified files. In addition, they must wear bulletproof vests and helmets at all times and work in a rotating manner, without prior notice, between the different

57. In Chapter 11: “Regulations on the treatment of high-profile inmates” (Articles 49 through 57). Available [here](#).

facilities. Personnel carrying out perimeter custody and transfers are authorized to use heavy weapons and artillery.

A differentiated **visitation regime** is provided, as only two direct relatives can visit, separately, for thirty minutes and without contact, since visits are carried out in phone booths or cubicles. To access, each visitor must undergo a security protocol that may provide for the use of metal detectors, scanners, detection dogs and exhaustive body searches, among other procedures.

Transfers outside the prison sphere shall be authorized with restrictive criteria, and must be carried out in vehicles with a series of minimum requirements, including *“seats and handles with shackles or other elements that ensure the physical restraint of hands and feet”*. This restrictive criterion is even applied to transfers to healthcare facilities, since such transfers can only be authorized in case of absolute necessity and a duly accredited urgency. In addition, these inmates are required to attend court hearings by videoconference.

The regulations, then, move forward with the different levels of security to which inmates covered by this regime may be subject and, on that basis, provide for different security measures. Some of the most worrying aspects of these regulations include the introduction of restrictions on food not provided for by law. They prevent or restrict the entry of food and belongings by visitors.

The CNPT made the last inspection visit to the province in 2024 with the aim of monitoring the situation of inmates included in the high-risk regime and approved a report with its observations and recommendations. In summary, the CNPT found that the system has deficiencies that need to be corrected, mainly because this regime—which should be exceptional—ends up being applied in an abusive and widespread way. In this regard, it was verified that broad categories, generalized security measures, and unfounded decision-making processes are used; plus, there are shortcomings in judicial oversight, and there is no prevention or adequate response to complaints of torture and ill-treatment by the inmates held in this regime.⁵⁸

In addition, it should be mentioned that in this context the allegations of ill-treatment received by the Committee were mostly from inmates housed in the “high profile” sectors. Some interviewees indicated that, as part of the search procedures in wards, when the special task force entrusted with

58. CNPT (2024). Report on the visit to the province of Santa Fe, as approved by CNPT Resolution 39/2025.



the search enter, they force inmates to remain on their knees, looking at the wall and with their hands on their heads, while they are beaten, restrained and sprayed with pepper spray. In one particular episode, the inmates were also insulted, threatened and questioned about alleged criminal acts. As part of this repertoire, the testimonies say that inmates were subject to “wet submarine” and “dry submarine”.⁵⁹

Within the scope of the **Federal Prison Service**, the Comprehensive Management System for High-Risk Prisoners (SIGPPLAR) was established through Resolution 35/2024 of the Argentine Ministry of Security,⁶⁰ with the aim of creating detention conditions under enhanced control for specific prisoner profiles, with the stated purpose of preventing them from engaging in criminal activities from within the prison, such as acts of violence, the introduction of prohibited items, or extortion.

According to the Resolution, the concept of “high risk” refers to the involvement of individuals in criminal organizations, and to the actual possibility that they may escape—either by their own means or with the assistance of third parties—commit acts of violence against or cause harm to the community in the event of escape, direct criminal activities from within prison with an impact to society, intimidate or bribe prison officers, and obstruct ongoing legal investigations. With regard to the **profile** of individuals to be included in the SIGPPLAR, it is noted that they must present: a) high or very high levels of risk of escape, either by their own means or with the assistance of third parties; b) high or very high levels of risk to the community.⁶¹

Requests for assessment for **inclusion in the system** may originate from judicial bodies, the Public Prosecutor’s Office, other legal and/or criminal investigation bodies, or from areas within the Federal Prison Service (SPF) that possess substantiated information justifying such action. However, the decision to authorize inclusion rests exclusively with the SPF, following a process in which reports containing individual risk and needs assessments of persons deprived of their liberty are reviewed by an interdisciplinary team. The System Coordinator then submits the decision to the General Directorate for the Correctional System, which orders the admission. Within

59. It is worth noting the photograph that appeared in various media and news portals, where a group of detainees who were housed in good behaviour wards were shown in bare torso, handcuffed and seated on the floor, emulating the jail spectacle seen in the well-known images of Salvadoran prisons. These photographs were disseminated by the provincial authorities themselves in their public communication media.

60. Resolution 35/2024 of the Argentine Ministry of Security. Available [here](#).

61. Risk to the community includes the risk of committing acts of violence against or causing harm to the community; the risk of engaging in criminal activities from within prison facilities; the risk of influencing the internal prison system for criminal purposes; and the risk of obstructing investigations.

24 hours thereafter, the inclusion must be notified to the judicial authority under whose jurisdiction the person is held.⁶²

Individuals included in this system are expected to be accommodated in areas designated for this purpose, under strict security measures, and in single cells.

With regard to **visitations**, through Resolution 153/2025 of the Ministry of Security, dated 3 February 2025, new control measures were implemented regarding authorized visits to detainees included in this system. The Resolution provides that each individual may receive visits from up to two direct relatives over the age of 16, every 15 days, without physical contact, i.e., through a visiting booth, and for a duration of up to 60 minutes. Additionally, detainees may receive visits from their children under 16 years of age under the same conditions. The Resolution also establishes that individuals who have been convicted of or are under investigation for a criminal offence, may not be authorized to visit a detainee, among other restrictions.⁶³ Visits by lawyers and public defenders shall also take place through a visiting booth.

It is further established that **transfers** outside the facility must be kept to a minimum and must be carried out under strict security measures, and court hearings should be conducted through videoconference systems whenever possible.

Prison staff assigned to this system perform duties exclusively within it and are exempted from the obligation to identify themselves by their personal information (the regulations provide for the establishment of a coding system).

It should be noted that the CNPT inspection visit, which the federal authorities prevented from taking place on 20 February of this year—as mentioned in Section C of this report—was specifically intended to interview the individuals included in this system and to verify the conditions under which they are deprived of their liberty, as well as to inspect the general prison population housed in the same prison facility.

62. In the event of an objection by the judicial authority, a reassessment shall be conducted. Exclusion from the System by judicial order, without prejudice to compliance with that order, shall also be subject to the aforementioned reassessment, the results of which shall be notified to the judicial authority that decided the exclusion.

63. It should be noted that under the system established by Resolution 35/2024, contact visits with direct relatives were allowed and, on exceptional cases and subject to a substantiated report and the involvement of the interdisciplinary team, visits from close acquaintances could also be authorized, to take place in individual visiting booths.



Finally, in the province of **Mendoza**, a specific management system for persons deprived of their liberty classified as “very high risk” has been in place since 2004, which was approved through Resolution 2652/2024 of the Ministry of Security and Justice.

The “Internal Regulations for Persons Classified as Very High Profile (MAP)” establish the following risk categories: 1) high or very high risk of escape, either by their own means or with the assistance of third parties; 2) high or very high risk to the community, i.e.: a. risk of committing acts of violence against or causing harm to the community in the event of escape; b. risk of directing or participating in criminal activities from within prison facilities with an impact on the community; c. risk of corruption and/or violation of the internal regime for criminal purposes; d. risk of obstructing judicial investigations.

The Regulations define these individuals as *“those who meet the following conditions: high public profile, connections and/or membership in criminal organizations; active resistance to judicial and/or administrative authority; members of law enforcement who, due to their training, may pose a criminological risk; public officials who display active resistance to authority; individuals who have previously taken part in riots, disturbances, or hostage-taking situations; persons with the capacity to bribe, corrupt, and/or threaten prison staff; and those associated with crimes of significant relevance that are committed at the provincial and/or national level”*.

The Regulations further establish that, as part of the security procedure, individuals subject to this regime *“shall have restricted access to specific areas within the accommodation facility”, and that “their movement and access, as well as their participation in certain activities or programmes that could pose a security risk, shall be limited”*.

In addition, it is provided that **visitations**—permitted only for direct relatives and legal counsel—must take place in booths separated by glass partitions, without physical contact.

According to the regulations, once individuals are included in the programme, they may only be excluded from it under the following circumstances: 1. when the risks that led to their inclusion have been objectively reduced; 2. for reasons of physical or mental health; 3. upon a proposal submitted to the General Directorate for the Prison Service. Therefore, no procedure for review or appeal is established to challenge the decision ordering the individual’s inclusion in the regime.

During the most recent inspection visit to Mendoza, in June 2025, the CNPT visited the facility designated to house individuals subject to this regime—the Accommodation Facility B of the Almafuerite II Prison Complex—where no persons were being held at that time. However, the CNPT has received information—through reports prepared by public bodies reporting to the SNPT that conduct monitoring at this facility⁶⁴—regarding certain characteristics of the regime that merit attention:

Individuals had not been given formal notice of the reasons for their transfer, which made it impossible to determine whether it was related to disciplinary infractions or other circumstances against which they could defend themselves. In addition, they had been transferred without any personal belongings and were only allowed to keep an incomplete change of clothing. As regards the regime itself, they reported that they were allowed to leave their cells individually to an internal yard twice a day, for three (3) hours each time, and were not allowed to engage in any other activity. Furthermore, one person held under this regime had been transferred to a mental health hospital after expressing an intention to take their own life.

Finally, it should be stressed that the CNPT is aware that prison authorities have the power to implement classification systems for persons deprived of their liberty in order to ensure their own safety and the safety of the staff, and that within these classification systems, certain groups may be subject to stricter measures. However, the regulations applied must not undermine the dignity of those individuals, nor the rehabilitative purpose of the sentence. Classification in such a category must follow strict criteria, must not be applied arbitrarily, must be reviewed periodically, be subject to judicial oversight and monitoring by control agencies, and any restrictions on rights must strictly adhere to the principles of necessity, proportionality, and legality.

The Committee has observed that the “high profile” category has expanded rapidly over the course of two years to include hundreds of individuals. In several cases, it has been found that the minimum legal criteria have not been met, and restrictions on rights include solitary confinement for long periods of time without justification and limitations on food and medical treatment. Additionally, serious obstacles to family contact have been reported, along with near-total restrictions on work, educational, or recreational activities. Judicial oversight and periodic reviews are weak or virtually non-existent, despite the fact that such exceptional restrictions on rights would require robust supervision.

64. Reports prepared by the Directorate for Human Rights and Access to Justice of the Supreme Court of Justice of Mendoza, concerning monitoring visits carried out on 20 May and 26 August 2025.

L. Deaths of Persons in Custody (Articles 2, 11 and 16 of the Convention)

It should be noted that, in 2021, the CNPT approved the “Proposal for Minimum Standardization for the Establishment of the National Register of Deaths in State Custody”.⁶⁵ Based on this methodology, the National Register of Deaths in Custody has been maintained since 2022, with a view to collecting and systematizing information on all deaths in custody throughout Argentina.

As a result of these efforts, an initial accounting of deaths in criminal custody has been compiled. For 2024, 417 deaths were reported in prison facilities, 90 in police facilities, and at least 163 in the context of police interventions in public spaces.⁶⁶

Based on **deaths occurring in prison facilities**, the estimated mortality rate is 3.5 per 1,000 detainees. Consistent with the incarcerated population, the majority of deaths involved men (94%), with fewer women (4%); the deaths of one trans woman and one trans man were also recorded.⁶⁷ Notably, three out of ten deceased individuals were under 40 years old, and one was under 21 at the time of death.

Due to the fact that official data are the primary source for this register, the classification of deaths presents significant limitations related to missing information or errors and inaccuracies in classification. Therefore, in a portion of cases, the cause of death is recorded as “poorly defined or unknown” (11%). Of the remaining cases, most were reported as resulting from disease (67%), while 22% of deaths were attributed to external causes, such as homicide, suicide, accidents, etc. In addition, some cases suggest possible external causes but are reported as “undetermined” (3%) because investigations were ongoing.

Given the sensitivity involved in the handling and documentation of this information, cases classified as “suicide” should not be assumed to be accurate in an immediate or uncritical manner. This is particularly true considering the number of deaths recorded under this category: reportedly

65. Approved through Resolution 59/2021. Available [here](#).

66. It is important to note that, although this phenomenon has traditionally not presented high levels of underreporting, the lack of independent records across all jurisdictions makes it impossible to ascertain whether these figures reflect the total number of deaths.

67. In the remaining cases, the gender of the deceased person is unknown (four in total).

53 cases in 204, accounting for 13% of all deaths in prisons and detention centres.⁶⁸

Cases reported as “homicides” account for 3% of all deaths and mainly refer to conflicts between detainees that resulted in the death of one of the parties. These cases also warrant a qualitative assessment to determine the type and timeliness of the intervention by the agency responsible for custody, as well as other factors affecting security within the facility. A similar proportion of deaths (3%) were associated with accidental causes, such as electrical short circuits, choking on food, or poisoning, all of which require thorough investigations to clarify the circumstances of the events.

Moreover, **deaths recorded in the context of police interventions** mainly involved the use of lethal force with firearms (76% of all cases). However, some deaths were reported as “accidents”, as they allegedly occurred during vehicle pursuits that resulted in fatal outcomes.

Finally, the 90 **deaths that occurred under police custody** represent a mortality rate of 6.7 per 1,000 detainees. Most of the deceased in 2024 were men (99%), with the remaining case corresponding to a woman. Half of those that died during the year were under 40 years of age, including four individuals between 18 and 20 years old at the time of death.

In this case, the official accounts regarding the causes of death should also be approached with caution, given that many of them are based on information provided by the custodial agencies themselves. With respect to the deficiencies in these data, it is noted that, for some of the deaths, the cause was either poorly defined or unknown (13%), while another significant portion of cases reportedly resulted from disease (22%). Most of the recorded deaths (64%) were associated with external causes, meaning that they were not the result of health conditions but rather of homicides, suicides, accidents, etc. Within this group, almost one third of the deaths were still under investigation and their cause had not yet been determined (29% of the total). It is particularly concerning that twenty-five deaths were classified as alleged suicides, which warrants a critical assessment, as such classifications may conceal cases of simulated or self-inflicted harm as forms of protest, or even homicides. In addition, one death was reported as an accident, the cause being linked to a fire. Lastly, six deaths were officially classified as homicides, which were connected to the use of bladed weapons in the context of interpersonal conflicts.

68. It is recurrent that deaths occurring in the context of self-harm or fires arising from extreme protest measures are misclassified in this way; this may also occur in cases involving other unlawful causes of death, such as homicide.



M. Medical Examinations (Articles 2, 12 and 16 of the Convention)

No progress has been made in implementing the recommendation that medical services be placed under the authority of the ministries of health at both the federal and provincial levels. Instead, they continue to report to the ministries responsible for the management of these facilities—namely, the ministries of justice or security, depending on the jurisdiction. This has implications for confidentiality and independence, given the dual loyalty to which health professionals are subjected.

In this context, it has been observed that medical examinations are conducted by professionals lacking adequate training and in violation of the principles of objectivity and confidentiality, even in cases where detainees allege torture or ill-treatment. It is a recurrent practice for examinations to be conducted in the presence of custodial staff or without ensuring the necessary confidentiality.

In addition, medical staff in these facilities is often very limited and insufficient to meet existing demand. For cases requiring more complex care, coordination is generally arranged with hospitals of the area; however, there are delays in scheduling appointments and difficulties with transfers, among other obstacles.

At the federal level, through Resolution 2/2025, the Argentine Ministry of Health revoked the resolution that established the Health Programme in Custodial Settings.⁶⁹ The main purpose of such programme was to improve access to quality healthcare for persons in custody by strengthening federal and provincial prison health systems throughout the country, with a view to bringing healthcare in custodial settings in line with that available in the community.

The resolution that revoked the programme states in its grounds that, despite pursuing laudable objectives, provincial and federal prison authorities maintain health systems organized within their own prison services, resulting in multiple agencies involved in the same issue. As can be seen, this rationale explicitly contradicts the CAT's recommendation to preserve the independence of health services in this context and does not acknowledge the significant gap in access to healthcare experienced by prison facilities in Argentina.

69. Ministry of Health (2012). Establishment of the Health Programme in Custodial Settings. Available [here](#).

In this regard, it should be noted that, although the programme had a limited scope and a small staff, it was intended to coordinate actions not only at the federal level but across all Argentine provinces. Despite its limited reach, the Federal Government chose to terminate the programme rather than strengthen it or replace it with another entity responsible for these functions.

N. Investigation of Complaints of Torture, Ill-treatment and Deaths in Custody (Articles 2, 12, 13 and 16 of the Convention)

With regard to investigations and legal proceedings, the CAT included several observations in the “List of issues prior to submission of the seventh periodic report of Argentina”, which was submitted to the Argentine State in 2020 (CAT/C/ARG/QPR/7).

The CNPT is able to provide a general opinion on those observations, to report on the actions that it has taken to monitor and promote their implementation, and to make available to the CAT a selection of cases and proceedings that have been under its supervision and that of the SNPT, serving as examples in line with the request made to the State in paragraph 27 of the List of issues.

In the first place, it should be noted that this ongoing monitoring has revealed the following shortcomings:⁷⁰

- › Lack of immediate protection measures for persons deprived of their liberty who file a complaint.
- › Investigations are generally initiated based on complaints filed by victims rather than ex officio, and their progress also depends on the initiative of the victims. There have even been cases closed due to the complainants’ failure to confirm their complaints.
- › Investigations are usually not initially classified in accordance with the indications or allegations of torture or ill-treatment, which often has negative implications for the proceedings, particularly in

70. The CNPT monitors approximately thirty legal investigations into acts that may constitute torture or cruel, inhuman or degrading treatment.



terms of the lack of response to the specific and urgent nature of certain evidence-gathering measures.

- It is common for cases in which elements consistent with acts of torture or ill-treatment are verified to result in more lenient treatment of the perpetrators—reflected in charges and eventual convictions for lesser offences, the exclusion of certain accessories from prosecution, or the absence of investigative lines aimed at identifying negligent acts or omissions.
- Even though these are usually complex investigations, excessive and unjustified delays have been observed, including cases where investigations have been entirely suspended.
- Victims and victims' relatives have reported difficulties in accessing case files, which generally involve refusals to allow them to examine the records.

Moreover, with regard to investigations into potentially unlawful deaths⁷¹—including those occurring under State custody in general, as well as those in which there are suspicions or indications of criminal involvement by State officials—it is noted that most of these deaths are attributed to suicide or medical causes, i.e., to pre-existing conditions, acute health emergencies or the lack of timely medical care.

Investigations are often closed at an early stage, and other recurrent shortcomings have been observed: requests for generic autopsies that do not thoroughly examine possible injuries to explore alternative hypotheses; involvement of the same security forces responsible for custody in the investigation itself; taking statements from persons deprived of their liberty at police stations and/or in the presence of police staff; the absence of psychological autopsies or other expert assessments aimed at understanding the personal context of the victim prior to the fatal outcome; unjustified delays in the progress of investigations; and obstacles faced by victims' families in accessing case files and submitting evidence.⁷²

71. In 2024, approximately forty death investigations were monitored, including deaths from that year as well as ongoing monitoring of cases from previous years. This monitoring involves regular communication with prosecutor's offices and courts to request information, remind them of the standards that should govern these investigations, and provide advice and specialized technical support.

72. Such shortcomings undermine the impartiality and thoroughness required under the Minnesota Protocol, hindering the pursuit of truth and accountability as required by the State's duty of custody.

With regard to the CAT's observations on the investigation of acts of torture, the following general findings can be drawn:

a. There are no specific public policies, of general scope and sustained over time, aimed at ensuring the effectiveness of investigations into cases of torture

The institutional structure of the State and the judiciary in Argentina hinders the development of nationwide public policies and measures aimed at ensuring the effectiveness of investigations into cases of torture, the protection and redress of victims, and the protection of witnesses or other persons who may contribute to the investigative process, such as those referred to in paragraphs 21,⁷³ 22, 23,⁷⁴ 25, 26,⁷⁵ and 27⁷⁶ of the List of issues prior to submission of the report.

A closer analysis shows progress in certain jurisdictions that have established specialized prosecutor's offices, investigation protocols, and programmes for the protection and assistance of victims.

b. Complaints or reports of torture brought before the courts are not adequately investigated

In Argentina, there is a sufficiently widespread and established practice of bringing before the courts acts of violence that may amount to torture and of reporting allegations, indications, or suspicions of torture to the competent public authorities that have an obligation to investigate or report such acts.

As a result of progress made by the SNPT in fulfilling the obligations set forth in the OPCAT, various tools have been established to collect information, findings, complaints, and allegations of torture, which—when circumstances allow or require—are referred to the judicial authorities.

73. Measures aimed at increasing the effectiveness, independence, and ex officio prosecution of investigation into acts of torture; ensuring that there is no hierarchical or institutional connection between alleged perpetrators and investigators; and automatically suspending alleged perpetrators from their functions or prohibiting their contact with the alleged victims.

74. Measures aimed at applying the Act on Safeguarding the Rights of Crime Victims (Act No. 27372) to victims of torture, as well as mechanisms to protect complainants and their families, witnesses and investigators from any form of intimidation or reprisals arising as a consequence of complaints submitted.

75. Measures of redress and compensation, including means of rehabilitation, ordered by the courts and actually provided to victims of torture or their families.

76. Measures aimed at ensuring that confessions, testimonies and other information obtained through ill-treatment cannot be used as evidence in any judicial, administrative or other proceedings.



There are currently mechanisms for the prevention of torture in sixteen jurisdictions, which, together with the work of the CNPT, cover the entire national territory. Civil society organizations and State agencies also carry out inspections of places of deprivation of liberty and provide relatively safe communication channels for persons deprived of their liberty, as well as for their families.

Following monitoring visits in various provinces and within the federal jurisdiction, the CNPT itself has referred serious incidents and systematic or widespread practices to the judicial authorities and requested information about them. In doing so, it employs various tools depending on the circumstances (requests for information, formal complaints, or submissions in ongoing proceedings) through which it establishes its standing, outlines and develops the standards that it considers applicable for their legal classification, and promotes a diligent and effective approach.

In addition, notwithstanding the CAT's observations regarding the legal definition of the offence and the CNPT's proposals to align the provisions of the Criminal Code with the UNCAT, the IACPPT, and international human rights law, the current legal framework already establishes guidelines that would reasonably allow compliance with the aforementioned minimum standards. For instance, the infliction of any form of torture under the Criminal Code constitutes an offence subject to public prosecution and, therefore, to ex officio prosecution.

However, the response from the judiciary remains weak and inconsistent. The number of investigations initiated and pursued by the competent authorities is disproportionately low compared to the number of complaints, even in cases where the torture preventive mechanisms report the facts and attempt to monitor their progress.

The information available to the CNPT reveals a reluctance to move proceedings forward, resulting from various factors such as ignorance of applicable regulations, lack of political will, and public pressure. This leads to difficulties in initiating and advancing investigations, and even more so in classifying cases as acts of torture from the outset and securing convictions with punishment proportionate to their seriousness.

Unlike what occurs with complaints regarding common crimes—where courts follow a standardized set of procedures and measures that must be immediately adopted once the criminal act is known—when faced with reports, allegations or suspicions of torture, it is common for the victim's account to be downplayed by courts, and the investigation dismissed be-

fore it even begins. In many cases, proceedings are closed after the initial evidentiary measures are adopted (usually concerning the victim), or the acts are reclassified as lesser offences, thus avoiding criminal or disciplinary sanctions commensurate with their seriousness.

This situation, which denies victims real access to justice, has additional consequences. On one hand, it fosters an environment of impunity in which such acts can be repeated. On the other, it exposes victims, complainants, and those who cooperate with the proceedings to risks associated with being identifiable to the alleged perpetrators or the security forces involved—particularly when they remain deprived of their liberty or continue to live in the same place where the incident occurred.

Obtaining a different response from courts will depend on variables that prioritize the consideration of victims of torture and reduce the scope for the application of discretionary or opportunity-based criteria in interpreting the elements of applicable criminal offences. Such variables include, for example, the public relevance and seriousness of the acts and/or their effects, as well as the amount and persuasiveness of the evidence gathered or submitted to the competent investigative authority.

The CNPT's experience indicates that the classification of "torture" is generally not considered as the main hypothesis in complaints or cases where the elements of the criminal offence set forth in Article 144 ter are present. Rather, it appears to be reserved for specific legal circumstances, usually driven by the active participation of victims, their families, or other parties committed to the objectives of the OPCAT. In particular, such cases tend to advance only when accompanied by other factors, such as concurrence with crimes punishable by equal or more severe penalties—such as grievous bodily harm or homicide—or in situations of particularly serious violence supported by strong evidence, such as video recordings.



Examples include cases monitored by the CNPT: Diego Pachao (2012)⁷⁷ in Catamarca, César Moreno (2023)⁷⁸ in Córdoba, and Magalí Morales (2020)⁷⁹ in San Luis.

Although these cases will be analyzed in the following section, it is important to note here that in all of them, the torture suffered by the victims of homicide was or is under investigation. The course of the proceedings, the initial hypotheses pursued, the time elapsed, and the difficulties faced in advancing the cases highlight that the fatal outcome has been a determining factor, without which these crimes likely would not have been investigated.

In the case of Diego Pachao, over ten years after the incident, the courts found that he had been arbitrarily detained, tortured, and subjected to multiple physical assaults, but were unable to establish a causal link between those acts and his death, which occurred in custody three days after his detention and the torture. The investigation had initially followed a line that justified the detention and attributed his death to a street fight that had taken place the day before Pachao was deprived of his liberty.

Criminal proceedings initiated as a result of the deaths of César Moreno and Magalí Morales are still at the investigation stage. In both cases, the violence inflicted by members of the security forces is under investigation and has been classified as the infliction of any form of torture resulting in death.

The investigation into Magalí Morales' death also began with the initial hypothesis that her detention had been justified and that she had died for reasons unrelated to police actions, allegedly as a result of self-inflicted injury. Only five years later—based on the evidence produced and the persistence of the criminal complainant—did the investigation begin to examine the responsibility of the State and public officials for serious criminal offences.⁸⁰

77. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: CNPT (2023). Report on inspection visit to the province of Catamarca (approved by RES. CNPT 22/2023). Pages 52-59. Available [here](#).

78. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: CNPT (2024). Follow-up Report on the Province of Córdoba (approved by res. CNPT-034/2025). Pages 41-47. Available [here](#).

79. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: <https://cnpt.gob.ar/2020/06/03/el-comite-nacional-para-la-prevencion-de-la-tortura-hace-un-llamado-a-las-autoridades-a-adaptar-medidas-concretas-para-prevenir-hechos-de-violencia-institucional-en-el-marco-del-aspo/>

80. The information in this case is in the public domain. See for all: <https://www.argentina.gob.ar/noticias/caso-florencia-magali-morales-ordenan-imputar-los-policias-por-tortura-seguida-de-muerte>

The proceedings for the death of César Moreno began with a classification that, in the CNPT's view, accurately reflects the seriousness of the acts.⁸¹ However, based on the information gathered, the CNPT can maintain that situations similar to that suffered by Moreno—violent arrests, forceful entries, and the use of mechanical restraints as a form of punishment and torture—are relatively common and reflect practices that have become normalized within security forces. Without the fatal outcome, such acts likely would not have been subject to criminal investigation.

Another element identified by the CNPT as decisive for the progress of investigations into incidents meeting the elements of the offence of torture is the existence of documentary evidence that is difficult to refute, such as video recordings.

The case of William Vargas González (2010–2024)⁸² in the province of Mendoza, highlighted in the section of this report on reparations, is a clear example of this. In 2010, he was subjected to torture. The investigation did not begin until six months later, when a video recorded by the perpetrators themselves was made public. Even with that evidence, and despite the efforts of the criminal complainant and the public attention that the case received, the proceedings took fourteen years before the conviction of the perpetrators became final. However, this was not the only act of violence that he suffered in the years leading up to the final conviction. On the contrary, Vargas González claims to have reported to the competent authorities at least ten incidents of varying severity, including arbitrary detention, reprisals for his participation in the criminal proceedings concerning the torture case, and other assaults. Of all these claims, the only one that moved forward in court was an incident from 2024, which, like the first, had as its main piece of evidence a video recording from the place of detention showing the assault and the unlawful conduct of public officials.

Furthermore, this finding is supported by what often occurs in contrast when such visual evidence is not available. The CNPT itself has observed delays and obstacles to the initiation and progress of investigations when it submits well-founded and documented reports to the competent authorities on incidents identified in the course of its functions. Examples include

81. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: <https://cnpt.gob.ar/2025/01/07/la-justicia-confirma-la-prision-preventiva-de-ocho-personas-imputadas-por-torturas-seguidas-de-muerte-de-cesar-moreno/>

82. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: <https://cnpt.gob.ar/2025/01/03/la-corte-suprema-de-justicia-de-la-nacion-confirma-la-condena-a-seis-agentes-penitenciarios-por-torturas-ocurridas-en-mendoza/>; <https://cnpt.gob.ar/informacion-sobre-el-caso-vargas-gonzalez/>



submissions made by the Committee following inspections conducted in response to reports of serious incidents at Prison No. 11 in Santa Fe between February and March 2024, and at Prison No. 2 in General Roca, Río Negro, in February 2023. Additional examples include submissions made during routine inspections in the provinces of Catamarca and Misiones—in the first case, concerning a specific victim who expressly stated her intention to file a complaint and authorized the CNPT to inform the courts and request protective measures;⁸³ and in the second, regarding widespread practices documented during the visit.⁸⁴ All of these were brought to the attention of the competent authorities and included in the respective reports.

For the CNPT, the recurring patterns of deficient investigations in such cases—partly driven by the factors mentioned above—are intensified by the context of State custody. This context is characterized, on the one hand, by the almost exclusive control of information and evidence by the institutions and individuals who could be subject to disciplinary or criminal responsibility for the acts under investigation, and, on the other hand, by the heightened vulnerability of victims, witnesses, and other parties who could contribute to clarifying the facts.

In keeping with the approach of presenting cases that illustrate these observations, it is appropriate to mention the following proceedings, which will be described in subsequent sections. Despite their seriousness, these cases did not yield effective results because the investigations and legal proceedings were not conducted with due diligence.

These include the violent deaths of Alem Montenegro (2020)⁸⁵ in Santa Fe, Federico Rey (2020)⁸⁶ in Buenos Aires, and Jesús Yapura and Amado Montenegro (2020)⁸⁷ in Jujuy, all of which were the result of the excessive use of lethal force by security forces to suppress protests inside prisons during the COVID-19 pandemic⁸⁸. For similar reasons, the legal proceedings

83. CNPT (2023). Report on Inspection Visit to the Province of Catamarca (approved by RES. CNPT 22/2023). Pp. 52-62. Available [here](#).

84. CNPT (2025) Report on Inspection Visit to the Province of Misiones (approved by RES. RESFC-2025-10-E-CNPT-CNPT). Pp. 27 and 28. Available [here](#).

85. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: CNPT (2024). Annual Report 2024. Pages. 163-164. Available [here](#).

86. The information in this case is in the public domain. See for all: CPM (2021) Annual Report 2021. Pages 153-154. Available [here](#).

87. The information in this case is in the public domain. See for all: <https://eltribunode-jujuy.com/policiales/2025-4-29-21-13-0-efectivos-penitenciarios-absueltos-de-las-muertes-en-el-motin>

88. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: <https://cnpt.gob.ar/2020/08/06/el-comite-nacional-para-la-prevencion-de-la-tortura-condena-el-uso-de-armas-letales-dentro-de-los-establecimientos-penitenciarios/>

related to the assault and death in custody of Mauro Coronel (2020) and the ill-treatment suffered by Franco Isorni (2020) in Santiago del Estero⁸⁹ may also be placed in this category, as well as the deaths of Rocío Mendoza, Yanet Saquilán, María José Saravia, and Macarena Salinas (2021)⁹⁰ in Tucumán, which resulted from a fire that was deliberately set during a protest over poor detention conditions.⁹¹

In general terms, therefore, what has been observed by the CAT and other international bodies continues to occur with respect to the shortcomings in investigations of acts of torture and other incidents taking place under State custody: official accounts provided by the security forces are prioritized; alternative lines of investigation that take into account the victims' statements are not pursued; victims are not adequately protected; and the acts are often downgraded in their legal classification. These are all issues that the CNPT consistently identifies and brings to the attention of the competent authorities.⁹²

Actions Undertaken by the CNPT to Monitor and Promote Compliance with the CAT's Recommendations

In line with the previous paragraph, the CNPT carries out primarily collaborative actions aimed at strengthening the justice system to reduce impunity and contributing to the design of public policies for the prevention of torture, in areas involving the direct or indirect influence of the judiciary.

In order to effectively prevent torture and ill-treatment, the CNPT does not prioritize litigation-based approaches. In its interactions with judicial authorities, it provides observations, analysis, assistance, advice, and recommendations aimed at aligning the practices of each jurisdiction with the standards and criteria followed and proposed by the CNPT. Even in cases

89. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: CNPT (2023). Report on Inspection Visit to the Province of Santiago del Estero (approved by res. CNPT 55/2023). Pages. 55 - 61. Available [here](#).

90. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: CNPT (2024). Annual Report 2024. Pages 162-163. Available [here](#).

91. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: <https://cnpt.gob.ar/2024/04/05/el-cnpt-ex-presa-su-preocupacion-ante-el-fallo-absolutorio-de-las-agentes-policiales-acusadas-por-la-muerte-de-4-mujeres-privadas-de-la-libertad-durante-un-incendio-en-la-brigada-femenina-de-concepcion/>

92. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: CNPT (2025). Follow-up Report on the Province of Tucumán (approved by RES. CNPT-22/2025). Pp. 62-65. Available [here](#).



that must be pursued in court due to their characteristics, the CNPT implements measures to cooperate with parties engaged in the implementation of the OPCAT and with the judiciary, making its criteria available to them.

Furthermore, to promote diligent and effective investigations, the Committee implements various advocacy strategies, including the dissemination of standards and dialogue with authorities responsible for investigations. In this regard, with support from the OPCAT Special Fund, the CNPT developed a guide establishing minimum standards for conducting diligent⁹³ investigations and provides training to parties involved in the investigation and prosecution of such cases, including sessions held in Córdoba in 2023⁹⁴ and Mendoza in 2025.⁹⁵

These actions make it possible for the CNPT to understand how the bodies responsible for investigating and adjudicating torture claims operate in practice; to identify good practices as well as specific and recurring shortcomings; and to exert influence in its role as a monitoring body, as its observations are submitted in concrete cases and subsequently included in reports designed to promote the effective application of international standards aimed at preventing future violations, combating impunity, and ensuring effective accountability by State agencies.

Selection of Cases and Proceedings Related to the CAT's Observations and Recommendations

Below is a more detailed description of the cases under this Committee's monitoring, which were mentioned previously and are representative of the observations made by the CAT. These cases illustrate certain shortcomings in investigations related to the List of issues prior to submission of the report.

a. Investigation into Acts of Torture against a Group of Approximately 100 Persons Deprived of their Liberty at Prison No. 11 of Piñero, Santa Fe

In February 2024, allegations emerged of violations of personal integrity

93. CNPT - CELS (2024). Guide on Minimum Standards for the Investigation of Torture and Cruel, Inhuman, or Degrading Treatment, Resolution 56/2024. Available [here](#).

94. Sessions organized by the CNPT in collaboration with OHCHR, the Association for the Prevention of Torture, the Argentine Forensic Anthropology Team (EAAF), the Public Prosecutor's Office of Córdoba, and the National University of Córdoba. They brought together over 120 participants, including judicial actors, prosecutors, and representatives from Local Mechanisms for the Prevention of Torture. Available [here](#).

95. Sessions organized by the CNPT, the Judiciary of Mendoza and the EAAF. Available [here](#).

consistent with acts of torture and ill-treatment committed by prison staff of Santa Fe against persons deprived of their liberty in various wards of the Piñero Prison, located in Rosario, Santa Fe.⁹⁶

According to the allegations made by the persons deprived of their liberty, their relatives, and defence counsel, these attacks were reportedly carried out in retaliation for an attack against a transport vehicle belonging to the Prison Service. The complaints refer to beatings, the use of pepper spray on the face, “submarine” torture (both wet and dry), among other forms of abuse. These were followed by denial of access to drinking and cleaning water, food, bedding and mattresses, and by the impossibility of communicating with relatives and defence lawyers in the days following the assaults.

Upon learning of these events, the CNPT began monitoring the case, requesting information and offering cooperation to the competent authorities. Based on this engagement, the Committee made observations and recommendations aimed at ensuring that the investigation meets minimum standards of due diligence, particularly concerning the importance of an appropriate initial legal classification of the facts and the urgent need to adopt protective measures for victims and other persons who may contribute to the investigation.

The CNPT was also able to access the case file and maintain an ongoing dialogue with the authorities responsible for the investigation. From the consistent and well-documented accounts provided by the victims, the organized nature of the attacks becomes evident. In addition, the Committee is particularly concerned that the initial charges have been classified as ill-treatment (*apremios ilegales*, Article 144 bis(3), in connection with Article 142(1) of the Argentine Criminal Code), an offence that does not correspond to the victims’ repeated and corroborated testimonies or to the available supporting documentation.

Furthermore, the records show that medical reports were prepared by professionals of the provincial Prison Service, some of which were requested by judicial authorities. These reports stated that the examined individuals showed no injuries—conclusions that, in some cases, contradict subsequent reports issued by the Forensic Medical Corps of the Judiciary.

96. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: (2024). Annual Report 2024. Pages 165-168. Available [here](#).



b. Legal Proceedings Concerning the Death of Four Women Deprived of their Liberty at the Women's Brigade Office of Concepción, Tucumán

On 2 September 2021, Rocío Mendoza, Yanet Saquilán, María José Saravia and Macarena Salinas died in their cell as a result from a fire that was deliberately set during a protest over poor detention conditions. The Public Prosecutor's Office brought charges against the officers on duty that day for ill-treatment, specifically under the form of "harsh treatment" (*severidades*), in concurrence with the offences of abandonment of a person under their custody or care and breach of official duties.

From the outset of the investigation, the CNPT, in exercising its functions, met with the victims' families and urged provincial authorities to provide them with comprehensive support, prevent reprisals, investigate the events, adopt measures to prevent recurrence, and put an end to overcrowding and the prolonged detention of individuals in police stations, by aligning the prison system with constitutional standards. The CNPT also followed up on the judicial investigation through requests for information and meetings with the prosecution, emphasizing the importance of conducting investigations from the outset in accordance with the Minnesota Protocol.

The case concluded in 2024 with the acquittal of all defendants at the public trial. During court proceedings, the State's responsibility for the events became evident, linked to the structural crisis of the provincial prison system. It was established that the detention centre lacked adequate conditions for the permanent accommodation of persons and presented serious shortcomings in its security system.⁹⁷ However, no criminal or administrative sanctions were imposed on any individual.

The case of the Women's Brigade Office reflects a serious breach of the State's duty to guarantee the human rights of persons deprived of their liberty.⁹⁸ The absence of sanctions despite the proven State responsibility underscores the urgent need to strengthen human rights guarantees in custodial settings and to ensure thorough investigations for the determination of all responsibilities involved.

97. Among the irregularities identified were expired fire extinguishers, lack of basic supplies, absence of evacuation protocols, and insufficient training for the police staff responsible for the custody of individuals held for prolonged periods.

98. Structural deficiencies, inadequate staff training, and the absence of preventive measures were decisive factors in a tragedy that could have been avoided.

c. Legal Proceedings Concerning the Death in Custody of Federico Rey in the Province of Buenos Aires

While deprived of his liberty at Prison No. 23 of Florencio Varela, Province of Buenos Aires, Federico Rey was shot three times with lead slugs fired from a firearm of the Prison Service on 22 April 2020, during the repression of a widespread protest demanding adequate detention conditions and health care in the context of the COVID-19 pandemic.

During the court proceedings to determine the criminal responsibility of those involved, Rey's family was represented by the Local Mechanism for the Province of Buenos Aires (CPM).

Although the proceedings resulted in the conviction of two prison officers for aggravated cover-up, the individual identified as responsible for the homicide was acquitted. Procedural irregularities prompted the victim's family to request that the trial be annulled.

d.- Investigation and Legal Proceedings Concerning the Homicide of Alen Montenegro at Prison No. 1 of Coronda, Province of Santa Fe

On 23 March 2020, a violent repression by special task forces took place at the Model Correctional Institute of Coronda (Prison No. 1), resulting in numerous injuries and the death of Alen Montenegro. The events originated from complaints by detainees regarding the Santa Fe Prison Service's handling of the COVID-19 pandemic.

After more than three years of investigation, the case was closed in 2024 with a dismissal ruling, citing a lack of evidence to individually identify those responsible for the homicide and, consequently, to move forward with formal charges. The ruling noted that procedural irregularities, combined with the circumstances of the incident, prevented the precise identification of the individual or group who fired the shot, leading to closure of the case.

The Public Prosecutor's Office considered that it was proven during the investigation that the homicide had been committed by members of the Provincial Prison Service using a State-issued firearm loaded with lethal ammunition, the use of which within a prison facility is prohibited by regulation. It further determined that the incident was not isolated but part of a series of unlawful and disproportionate acts of violence.

Although the Public Prosecutor's Office conducted extensive investigations confirming the illegal use of firearms by State officials, it was not possible



to identify the individual who fired the shot. Charges for related offences and criminal penalties were also not pursued, despite the clear responsibilities associated with the use of firearms in prison facilities, the illegal handling of evidence, and unlawful actions aimed at obstructing justice and intentionally diverting the investigation, all of which was demonstrated in the proceedings.

In its response, the prosecutor's office reported having informed the administrative and executive authorities of the Prison Service, as well as the Ministry of Security and Justice, of the evident organizational deficiencies and the "overcrowding" situation that exacerbated structural irregularities in the functioning of Prison No. 1, urging them to adopt the necessary measures to address these shortcomings.

e. Investigation and Legal Proceedings Concerning the Torture Followed by Death of César Moreno in the Province of Córdoba

César Moreno, a person with mental health conditions, died while in State custody in the province of Córdoba after being assaulted by staff responsible for his care and subjected to mechanical restraints for more than 48 consecutive hours, until the time of his death. During that period, he was not provided with adequate food or hygiene, which further aggravated his condition.

Since the Committee became aware of the case, it has maintained active engagement with the prosecutor's office involved, aimed at contributing relevant criteria and standards to strengthen the effectiveness of the investigation.

According to the information accessed by the Committee, Mr. Moreno was subjected to degrading treatment, under the supervision of medical professionals who endorsed and prolonged the use of such measures. Moreno was tightly restrained with straps, despite medical expertise indicating that such restraints could facilitate the formation of blood clots and thrombi, considering that he was a polytraumatized person requiring medical attention.⁹⁹

As part of the CNPT's monitoring of the legal investigation, and in addition to other forms of intervention, observations were submitted in the capacity of *amicus curiae*. In its submission, the Committee emphasized the impor-

99. This circumstance was known both to the physicians and to the charged security officers—first, because the injuries had been recorded in the medical report prepared upon Moreno's admission to the prison complex; second, because some of those injuries were clearly visible; and lastly, because certain defendants were aware of the blows inflicted on the victim shortly beforehand, inside Bouwer Prison.

tance of appropriately assessing the mechanical and pharmacological restraints applied to persons deprived of their liberty as potential methods of torture—not only due to the suffering that they may cause but also because of their capacity to annul the victim's personality or diminish their physical or mental faculties, even if they do not result in physical pain or psychological distress. The Committee also underscored the relevance of considering the victim's subjectivity and personal circumstances when determining the degree of suffering experienced as a consequence of criminal conduct consistent with acts of torture, as well as the legal classification warranted for the actions of those responsible for inflicting any form of torture when such acts result in the victim's death.

On 16 December, the judge in charge confirmed the pretrial detention order issued by the prosecutor against six prison service officers, a psychiatrist of the prison service, and a general practitioner, considering them alleged co-perpetrators criminally responsible for the offence of torture followed by death, which resulted in the death of César Moreno in September 2023.

The decision of the court upheld the legal classification proposed by the prosecutor's office, in line with the arguments presented by the Committee in its *amicus curiae* submission.

f. Criminal Proceedings Concerning the Death in Custody of Diego Pachao in the Province of Catamarca

Diego Pachao was detained on 11 March 2012 in a public area by police officers and transferred to the 7th Police Station of Catamarca for a background check. Three days later, while still in custody, he died. Although these events occurred prior to the period under review by the CAT, the legal proceedings were so protracted that the judgment was delivered only ten years later. As such, the deficiencies in the legal investigation fall within the scope of this review.

An investigation lasting approximately ten years was conducted. Based on such investigation, it was found that, at the police station, Pachao was subjected to physical and psychological abuse and left in an internal yard while experiencing a fainting episode, without medical attention for an extended period of time. Initially, the police officers were charged with acts classified as degrading treatment and breach of official duties, while the death was attributed to two minors who allegedly had fought with Diego and a friend in the days preceding his detention.

Only half of the individuals that the family considered responsible were



committed for trial, and the charges brought did not correspond to the seriousness of their actions.

Once the trial commenced, the criminal responsibility of six police officers was examined for conduct consistent with the infliction of torture and ill-treatment, and for failing to provide appropriate medical assistance despite repeated requests from other detainees and Diego's visibly deteriorating health. The trial concluded on 30 September 2022 with a conviction of four police officers from the province of Catamarca. The appellate court found that Diego Pachao had been subjected to torture within the 7th Police Station of Catamarca; aggravated degrading treatment; and unlawful deprivation of liberty based on a regulation in breach of the Constitution and international conventions which authorized the Catamarca Police to detain individuals for background and livelihood checks at their discretion and without judicial oversight. The court held criminally responsible those police officers who failed to provide timely assistance while performing duties that required them to do so.

The court also held that his death resulted from traumatic injuries but did not fully endorse the prosecution's conclusion that a causal link could be established with certainty between the officers' criminal conduct and his cause of death. According to the court, the officers who initially detained Diego Pachao inflicted physical torture during their first shift at the police station and continued to inflict torture by failing to act during their subsequent shift, as they were fully aware of the condition in which they had left him. The judgment has now been made final.

The CNPT made recommendations to provincial authorities highlighting the importance of examining that regular security force practices comply with the Argentine Constitution and international conventions, as well as addressing the negative consequences of ineffective investigations and inappropriate legal classifications of acts consistent with the crime of torture. In addition, it noted that the Minnesota Protocol had not been properly applied in the investigation of potentially unlawful deaths and that there was a lack of consistent criteria regarding the elements that must be proven to establish the infliction of "torture". The CNPT also observed that certain considerations in the final judgment were not aligned with international instruments, the opinion of legal scholars, or specialized case law.

g. Investigation into the Homicides of Jesús Antonio Yapura and Amado Marcelo Montenegro during a Protest at Prison No. 1 of Gorriti, Province of Jujuy

On 16 July 2020, two people deprived of their liberty that were part of a protest motivated, among other reasons, by the detention conditions during the COVID-19 pandemic, were victims of murder. They both died due to the impacts on their bodies caused by ammunition or lead slugs coming from shots fired by members of the security forces.

The prison personnel group that was part of the protest repression faced charges, seven of them were accused of murder. According to the prosecutor, they presented themselves when the victims and other imprisoned people were “mutinous” on the roof of a pavilion, they presented themselves at the kitchen area “and with the undeniable purpose of causing death they shot with firearms directing at where the victims were” causing their death.

On that basis, the Public Prosecutor’s Office of Jujuy concluded that the conduct of the seven identified agents should be classified as murder aggravated by malice aforethought and by the official nature of the perpetrators. The investigation procedure was joined by criminal complainants who adhered to the prosecutor’s statements.

The trial was held between February and April 2025. Court No. 2 in Criminal Matters of Jujuy determined that both homicides were committed within the prison facilities and were caused by ammunition or slug ball blows, bullets that were authorized for personnel in charge of the prison’s external perimeter to repel external or serious attacks against people’s life and integrity.

However, no conviction was entered at the first instance. The court acquitted the seven prison officials after granting the nullity requested by the defence counsel against the allegations presented by the prosecution, as it ruled that the congruence and defence principles had been affected after substantially modifying the initial charges. In synthesis, the prosecution did not accuse the person it attributed one of the homicides and decided to attribute both homicides to the other six, adding an additional aggravating factor to the crimes that brought them to the proceedings.

Although the case is currently at the appellate instance, the CNPT can conclude some issues of interest from the judgement.

The main issue is that, regardless of the decision of the first instance court regarding the determination of criminal liability of the proved homicides,



throughout the proceedings witness testimonies were given by people deprived of their liberty. From their testimony excerpts highlighted in the judgement it can be concluded not only that they identified the personnel and provided their interpretation of the events with consistent allegations regarding the disproportionate and excessive use of lethal strength, but also that they expressed fear of suffering retaliation and reported ill-treatment, punishments, retaliation and even one person declared to have suffered torture and other firearm impacts.

The court did not make any statements on the matter until the criminal complainant counsel requested protection for those that had expressed their fear and the violence suffered. The court informed the enforcement judge, who ordered the transfer of all the people to another prison, but none of them agreed to do so.

Finally, the judgement does not mention anything regarding the transfers, which is also highlighted given the deficiencies for medical aid and the clear use beyond any authorization of lethal weapons that caused the death of those two people.

h. Investigations on Torture, Ill-treatment and Death of Mauro Coronel and Franco Isorni in Santiago del Estero

These are two cases followed up by the CNPT in which, despite their particularities, show common issues in the investigation of torture, ill-treatment and death under state custody.

On the one hand, Mauro Coronel, a 22-year-old young man, was detained on 1 May 2020 by officials of Police Station No. 10 of the Province's Police and four days later died at the Regional Hospital of Santiago del Estero after being transferred there from the Police Station. The victim's family held that he was hit during his detention and a video showing him handcuffed in the police station's backyard, almost naked and apparently wet was disseminated.

At the request of the CNPT, the assistant representative of the Santiago del Estero's Office of the Ombudsman, Luis Horacio Santucho, appeared at the 10th Sectional Police Station and checked that the place that can be seen in the images of the published video of Mauro Coronel correspond to that police station, which was informed to the Prosecutor of the case. The victim's family requested different means of evidence, arguing to have seen how Mauro was hit when detained and that he was at the police station on his knees, surrounded by police officers and with a bag on his head. The

CNPT asked the Ministry of Security for reports in order to be informed of the measures taken in light of the events, and requested the Prosecutor in charge to conduct an analysis of the measures taken in the investigation of the young man's death. Communication was maintained and different meetings were held with the victim's mother.

On the other hand, on 24 May 2020, Franco Isorni was at his house entrance when personnel of Police Station No. 3 detained him and transferred him to the sectional office, where he was beaten so hard that a few days later he was hospitalized for suffering convulsions. The young man reported the incident. The case never advanced and he decided not to continue out of fear. On 26 August 2020 he died in an alleged road accident. A few days later, his mother received information about irregularities of the actions of the police regarding the event and the investigation, thus, the victim's family filed a complaint and presented themselves as criminal complainants. After that, the family reported they had been threatened as was also reported by a witness to the case, who was threatened and detained.

The file initiated with the complaint filed for the events suffered by Isorni during his detention show that the injuries he alleged were verified and that his account matches that of the witnesses and police officers who gave testimony.

After his death, the Public Prosecutor's Office stopped producing evidence tending to determine any criminal liability for arbitrary detention and the injuries checked on Franco Isorni's body. However, the administrative investigation continued with respect to the actions of the police officers that participated in the detention and who were in charge of controlling it. In that regard, the administrative official noted irregularities in the investigation, highlighting that Isorni's detention had not been properly recorded in the relevant records and that the admission legal medical examination had not been documented, or that the judicial authorities on duty had not been informed of the detention.

After reviewing the files of the investigation, on different occasions the CNPT informed the authorities of the existence of delays and defaults as well as the difficulties to ensure that the victims and their families have access to the files and actively participate in the criminal proceedings, as both the families and their legal representatives had faced obstacles to access the files.

In addition, key aspects were noted which are incompatible with a diligent investigation of this kind of events, like the crime classification adopted in



the investigation of alleged torture and/or ill-treatment reported by Franco Isorni, that was classified as “injuries” by the prosecutors, as well as the interruption of the investigation on tortures after the cases linked to deaths under custody were suspended, which occurred in both investigations.

Regarding the investigation file related to the events suffered by Mauro Coronel, the CNPT had access to the confirmation of the decision to suspend the investigation. The decision was mainly supported by two conclusions deriving from the evaluation of evidence produced (especially the medical and autopsy reports): on the one hand, that the existence of injuries was not proved and, on the other, that it was determined that the cause of death was related to a bacterial lung infection.

This is a serious disregard for the definition of torture contained in international instruments and the Argentine Criminal Code, as well as proof of lack of commitment to conduct diligent, timely and complete investigations.

Advances in Judicial Statistics of Investigations on Torture and Related Crimes

Finally, it should be mentioned that in recent years there have been records on advances in the field of judicial statistics of torture and related crimes, especially through the coordinated work of this CNPT and judicial actors of the provincial jurisdictions.

Due to the lack of development and centralization of statistics by the Judicial Branch throughout Argentina, which to some extent is related to the federal nature of the government and the different provincial powers, the CNPT decided to expand the scope of the National Register of Torture and Ill-treatment that it manages as provided by law, which records both judicial cases and those that are not criminally reported. This information is requested to all Argentine judicial agencies every year. Meetings and round tables aimed at strengthening the judicial agencies’ capacities are held in order to develop their own statistical data registers. For the first requests made by the CNPT in 2019, only systematized data from the Public Prosecutor’s Office of the Province of Buenos Aires, the Specialized Prosecutor’s Office against Institutional Violence (PROCUVIN) and the Higher Court of Justice of Córdoba were received, which already had long experience in the preparation of this kind of data. The work conducted by local jurisdictions should be mentioned, which back then stated that they did not have this type of records and that, in the last few years and with fits and starts, have succeeded in advancing the production of this kind of data

Between 2020 and 2025, the CNPT also received systematized data, with different degrees of detail and breakdown, from the Public Prosecutor's Office of the City of Buenos Aires, the Public Prosecutor's Office of the Province of Catamarca, the Public Prosecutor's Office of the Province of Chubut, the Public Prosecutor's Office of the Province of Córdoba, the Higher Court of Justice of the Province of Corrientes, the Higher Court of Justice of the Province of Formosa, the Higher Court of Justice of the Province of La Pampa, the Higher Court of Justice of the Province of La Rioja, the Public Prosecutor's Office of the Province of Mendoza, the Public Prosecutor's Office of the Province of Neuquén, the Public Prosecutor's Office of the Province of Río Negro, the Human Rights Prosecutor's Office of the Province of Salta, the Higher Court of the Province of San Luis, the Public Prosecutor's Office of the Higher Court of the Province of Santa Cruz, the Public Prosecutor's Office of the Province of Santa Fe and the Higher Court of Justice of the Province of Tucumán. Within that context, the CNPT has subscribed cooperation agreements with some higher courts and ombudsman's offices in order to provide technical training and develop integrated registry systems, facilitating its computer system, SiPret (Computer System for the Prevention of Torture).

The information provided is highly important as it enables mapping and locating the investigations initiated and already in progress throughout Argentina. Its content is currently under analysis and will be published in the next integration report of the National Register of Torture and Ill-treatment.

In that line, it should also be mentioned that through an agreement with the School of Law of *Universidad Nacional de Mar del Plata*, a Case Law Compendium on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was developed,¹⁰⁰ which is currently being expanded and enhanced by the CNPT in the context of the project presented to the OPCAT Special Fund.

0. Non-refoulement and Detention for Migration-related Reasons (Article 3 of the Convention)

With respect to migrant people deprived of their liberty, it has been detected that they have faced obstacles in the exercise of their rights, specifically, that many of them do not keep contact with consular offices, do

100. Available [here](#).



not know the procedural status of their cases and do not have any contact with relatives and related persons. In addition, this situation is reported to be exacerbated in cases in which people do not speak Spanish.

From the analysis conducted on how migrants lived through their imprisonment, the *Guidelines on Rights for Migrants Deprived of their Liberty*¹⁰¹ were developed. The purpose of this document is for migrants to know their rights and have the necessary resources to assert them, with contact numbers of Argentina's public agencies that may get involved in their cases and with information of consulates that may help them.

P. Gender-based Violence and Women Held in Detention (Articles 2 and 16 of the Convention)

One of the most important issues to highlight is the **access to health** of women deprived of their liberty. The lack of comprehensive health policies and the limitations regarding the access to adequate medical care are the most serious problems detected in the different local jurisdictions in Argentina.

Attendance at healthcare facilities is marked by delays and there is arbitrariness with respect to the treatment of illnesses. In some cases, women do not receive appropriate medications or do not know the type of drug they are provided with. The administrative procedures to obtain additional medication are also slow and require judicial authorization, which affects the course of their treatment. There are also specific difficulties for this group: the lack of appropriate gynaecological care or obstetrical assistance in the case of pregnant persons.

For many years some cases have been detected in which women held in custody had not undertaken the recommended annual check-ups and women who had been subject to surgical interventions without providing their consent or being informed of their rights. Moreover, other records have shown issues associated with the lack of delivery of menstrual management supplies and contraception medication as well as difficulties to access to a voluntary termination of pregnancy, among others.

101.CNPT (2023). Guidelines on Rights for Migrants Deprived of their Liberty. Available [here](#).

With respect to **mental health**, issues specific to women are associated with the lack of professionals, the generalized use of drugs without a diagnosis or for a disorder without specification.¹⁰² In addition, reports have been made on the generalized problem of the lack of devices to address problematic use.¹⁰³

In addition, deficiencies in the obligation of ensuring mental health are also transmitted to other imprisonment issues, such as access to visitations and communication. In some local jurisdictions, records have shown hindering practices to conduct intimate visits only for women and difficulties to exercise mother-child bonding due to the lack of resources, the distance or in cases in which the children are living in group homes, as they do not have other caregivers, and the necessary judicial authorizations to ensure their contact are not granted. The lack of institutional response leads to anxiety and/or distress which, in some cases, escalated into more severe conditions, such as depression, and/or fatal outcomes, including suicides.

Another key aspect to highlight about this group is the practice, in some jurisdictions, of using **means of mechanical restraint** on women as a sanction. In these cases, the dynamic is that, when facing conflictive situations, the prison personnel leave them tied down to their beds for days. In addition, they are requested to prepare the same bandages that are later used to tie them down.¹⁰⁴ In the case of pregnant women, in some units of the Buenos Aires Penitentiary Service, it has been observed that handcuffs have been put on minutes before labour, during and after it. Some women have talked about the difficulties of approaching their children due to movement restraints, such as cross handcuffs that hinder breastfeeding.¹⁰⁵

Another issue that must be mentioned is associated with **search procedures** conducted in prisons, as the standards in this field have not been

102. CNPT (2022). Report on inspections of the Province of Neuquén, Resolution 07/2022, page 52. Available [here](#).

103. However, the "Programme on the Specific Detection and Intervention of Problematic Use of Substances" operates in federal prisons which proposes to reduce use and promote alternatives on healthcare from the identification of and approach to needs that people deprived of their liberty may have.

104. To learn more about this situation, the inspection reports of the province of Córdoba for the years 2018-2019, 2022, 2023 and 2024 may be consulted. Available [here](#).

105. See section 3.4 on Obstetric Violence: psychiatrization of puerperium, of the Penitentiary Policy Section of the 2020 CPM Report; section 3.2. Mothers and children imprisoned, of the Penitentiary Policy Section of the 2021 CPM Report; section 3.5. Pregnant people and their children imprisoned, of the Penitentiary Policy Section of the 2022 CPM Report. In addition, in that regard, the investigation conducted by the PPN, the Ombudsman's Office of the Province of Buenos Aires and the Public Prosecutor's Office (2019), *Parí como una condenada, experiencias de violencia obstétrica de mujeres privadas de libertad* ("I gave birth in hell, experiences of obstetric violence of women deprived of their liberty") is recommended.



regulated in Argentina's relevant regulations yet. In that context, records have shown that there are regularly arbitrariness and vulnerability situations in search procedures that affect not just the women, but also their relatives. Unnecessary and excessive procedures are conducted, using modalities that affect their privacy and dignity, such as complete nakedness and humiliating postures like bending or squatting.

With respect to the controls for admitting **relatives**, these humiliating situations are also replicated, which even include the removal of diapers in babies, boys and girls. It should be mentioned that, recently, the Inter-American Commission on Human Rights (IACHR) addressed these issues through Resolution 2/25¹⁰⁶ with the goal of giving visibility to and mitigating the impact suffered by relatives in that context, especially children and adolescents,¹⁰⁷ women, older people or people with disabilities, who disproportionately suffer these impacts, facing stigmatization and discrimination. Therefore, it urges the States to incorporate differentiated, intercultural, and intersectional approaches.¹⁰⁸

It would also be valuable if the CAT would also pay attention to this issue, adopting recommendations on the same line, in particular, the importance of recognizing family support in regulations as a fundamental element for the social reinsertion of people deprived of their liberty as well as incorporating the relatives' point of view in penitentiary policies, promoting dialogue with them.

In addition, it is essential to highlight that for these search procedures, non-invasive modalities should be used, using technological resources available such as body scanners or metal detectors. The lack of adequate supply of these elements by the State should not be naturalized and should not lead to tolerating unnecessary invasive measures as a precondition to exercise fundamental rights, as is the right to conduct visits and have socio-family bonding.

106. IACHR (2025) The Rights of Family Members and Persons with Affective Ties of Persons Deprived of Liberty. Available [here](#).

107. The CNPT addressed the situation of children and adolescents with adult referents deprived of their liberty in the Thematic Report entitled '*Assessment on the scope of the implementation of family bonding public policies for children and adolescents with adult referent(s) deprived of their liberty (NNAPES)*'. Available [here](#).

108. Among them, the following stand out: people's right to be deprived of their liberty in spaces close to their families and persons in their care and ensuring adequate spaces for visits and the prohibition of intrusive vaginal and anal searches, which must be replaced by alternative means of recording and non-invasive technological equipment, as well as training the civil service for its use.

Protection Policies for People Deprived of their Liberty based on their Gender Identity

On this topic, it should be highlighted that at the federal level, through Presidential Decree 61/2025,¹⁰⁹ the Argentine Executive provided for amendments with respect to the accommodation of transgender people in penitentiary facilities within the context of the Federal Penitentiary Service. This is a measure that violates international standards on the matter and is unnecessary to address the problems that, according to that presidential decree, it aims to solve.

The Presidential Decree establishes, among other things, that the accommodation of a person deprived of their liberty must be determined based on the sex registered at the time of the act for which their detention was ordered and that a person who has undergone legal rectification of their registered sex may not be located in a women's facility in the following cases: a) When the deprivation of liberty has been ordered for crimes against persons, sexual integrity, liberty, or any other offence involving violence against a woman; b) When a technical assessment by the prison authority determines that their accommodation would pose a risk to other people accommodated in the facility.

In addition, it states that measures must be taken at the penitentiary facilities in order to ensure security of people that are in the process of or have already finished registering their sex rectification, ensuring that these measures do not pose a risk for the security, integrity or life of other detainees.

According to the information gathered by the CNPT, this right does not respond to a generalized or documented problem in Argentina and its implementation could be translated into isolation or sectorization practices that worsen the detention conditions of transgender, non-binary or diverse gender people.¹¹⁰ The CNPT offered to cooperate with authorities to establish protocols and guidelines for transgender people deprived of their liberty that are aligned with international standards and reasonable security criteria.

109. Official Gazette (5 February 2025). Regulations for Article 176 of Act No. 24,660. Available [here](#).

110. The CNPT issued the institutional statement entitled "Transgender People Deprived of their Liberty - Applicable Standards and Status in Argentina" in order to recall the States's specific obligations to safeguard this group in a context of detention and give visibility to the serious violations of rights they suffer in places of detention. Available [here](#).



Women under Home-based Arrest

Argentine Act No. 26,472 of 2009 incorporated the possibility that pregnant women and mothers of boys and girls of up to five (5) years of age serve their sentences or pretrial detention under the home-based detention modality. However, there are no official and regular statistics that show this situation.

Although the lack of specific programmes aimed at women deprived of their liberty in prisons, in general, and under home-based arrest, in particular, is a historical issue, the recent elimination of gender-oriented institutions and policies aggravated their situation. Thus, the lack of initiatives aimed at this group results in their return to prisons—due to the impossibility to support themselves economically, restrictions to access exit permits to education or health centres to accompany their children, among others—and, thus, in the rupture of the mother-child bond and the institutionalization of boys and girls at a very early age.

Q. Redress Measures (Article 14 of the Convention)

There are no records with respect to redress and compensation measures for torture and ill-treatment victims with the exception of the cases of the last military dictatorship.

There is no specific regulatory framework that regulates it, thus, the cases must be processed individually and there are practically no precedents in which a redress is obtained, which, if granted, is far from being appropriate.

One of the few cases that reached this instance is that of William Vargas,¹¹¹ a victim in the province of Mendoza. As it was already discussed when the deficiencies in judicial investigation of torture events were addressed, in this case, the judgement that imposed a conviction and redress measures only became final 14 years after the event.

Redress measures include: a) provision of psychological and/or psychiatric treatment; b) access to formal education and vocational training options, including university education, in accordance with the individual's choices, preferences, and abilities; c) dissemination and training activities aimed at

111. In 2019, the criminal courts in Mendoza convicted six officials of the provincial Penitentiary Service for the crime of torture against William Vargas, 18 years old, who was detained in the San Felipe prison at the time of the events, in 2010 (file No. P-8.552/11).

the prevention of torture and other cruel, inhuman, or degrading treatment; d) recommendation to the Argentine Executive to develop public policies with clear goals, as well as for the Public Prosecutor's Office and other judicial authorities to implement mandatory training and programmes on the Istanbul and Minnesota Protocols; and e) implementation of improved external oversight mechanisms for persons deprived of their liberty to whom disciplinary sanctions have been imposed, in order to prevent such sanctions from being used to conceal acts of torture.

To date, the only one that was accomplished is the implementation of mandatory trainings in investigations and sanctions on torture and other cruel, inhuman, or degrading treatment, in which the CNPT was involved organizing "Training Seminars for the Effective Implementation of the Istanbul and Minnesota Protocols in Cuyo".¹¹²

With respect to this case, it should be noted that Vargas has reported before judicial authorities from the beginning of such proceedings the difficulties he has faced to carry on with his life normally and the permanent fear of suffering retaliation due to the deficiencies in the protection provided by the competent authorities, noting, among other serious issues, a recent detention to consult his criminal record, and that he has later been a victim of aggressions by prison personnel.

In fact, one day after the judicial decision recognizing him the right to compensation was made public, Vargas was attacked while he was detained in a temporary detention centre by the personnel watching over him. This motivated the intervention of the CNPT in the criminal investigation through its new complaint and the submission of its observations as *amicus curiae*,¹¹³ which provided insights on the scope of the State's liability for the events that occurred under its custody, the legal classification the Committee believes that must be assigned when there are signs or suspicions of torture and other cruel, inhuman, or degrading treatment or punishment; and the importance that efficient measures should be adopted to ensure the protection and secure participation in the proceedings of victims and persons that may provide clarification to the events.

112. Held between 16 and 18 September and organized by the CNPT, the Directorate for Human Rights and Access to Justice of the Supreme Court of Justice of Mendoza and the Argentine Team of Forensic Anthropology (EAAF). Available [here](#).

113. CNPT (2025) Amicus Curiae. Liability of the State for events under its custody. Adequate classification of events compatible with "cruel, inhuman, or degrading treatment". Protection and measures to ensure secure participation in the proceedings of victims and persons that may provide insights to the investigation. Available [here](#).

With the lack of specific public policies and regulatory frameworks, it would be important that this Committee promote the adoption of punishment compensation measures by the courts for persons deprived of their liberty that suffer torture and ill-treatment. There are significant precedents in the Argentine case law in this field, but it cannot be asserted that this is a consolidated case law standard.

R. Use of Force during Public Demonstrations (Articles 2, 11 and 16 of the Convention)

In this field, records have shown strong setbacks in compliance with the Convention, especially at the federal jurisdiction level and that of the City of Buenos Aires. Although in such city the most serious and repeated events have occurred, there have also been important events of arbitrary use of public forces in disregard for international standards in provincial jurisdictions.

At the federal level, it should be noted that in December 2023, the Argentine Ministry of Security approved the *Protocol for Maintaining Public Order during Road Obstructions*.¹¹⁴ This is, broadly speaking, a regulation that restricts the right to peaceful demonstrations and social protests and that do not clearly and precisely describe the applicable standards for the use of forces. In that regard, it does not establish a differentiated manner to act for this type of events in order to ensure that demonstrations are staged, but instead, the actions of security forces are aimed at liberating the space destined for circulation and, in that context, it allows security agents to act at their own discretion.

For those reasons, and making a wide interpretation of the preventive approach of the OPCAT, the CNPT prepared the “Guidelines for Torture Prevention Mechanisms during Public Demonstrations”,¹¹⁵ in order to outline guidelines to monitor these events. Within that context, a series of monitoring was conducted over the territory of the City of Buenos Aires and victims of police repression and arbitrary detention were interviewed individually and confidentially.¹¹⁶ In addition, public statements and relevant

114. Argentine Ministry of Security (2023). Resolution 943/23, Protocol for Maintaining Public Order during Road Obstructions. Available [here](#).

115. CNPT (2024). Guidelines for Torture Prevention Mechanisms during Public Demonstrations, Resolution 10/2024. Available [here](#).

116. This monitoring was conducted jointly with the Local Mechanism for the Prevention of Torture of the City of Buenos Aires and the Province of Buenos Aires (Provincial Commission for Remembrance - CPM).

monitoring reports were issued.¹¹⁷

With this information, a description can be made about the actions of the security forces in public places.¹¹⁸ Preventive police operations were deployed over the main access routes to the City of Buenos Aires in which inspections were made on public means of transport, school transport vehicles and private vehicles with the goal of identifying flags or symbols that could be associated with the demonstrations. In addition, during the demonstrations, an excessive deployment of security forces was observed, which even exceeded the number of attendees by far. For the operations, the police personnel, in general, wear riot gear and carry a wide range of less lethal weapons, such as manual chemical irritants, tonfas, different guns (with tear gas, kinetic impact projectiles or anti-riot guns). These mega-operations, which involve deploying a huge amount of personnel, vehicles of every kind and water cannon vehicles, are intimidatory and cause a dissuasive impact on those who intend to take part of the demonstrations.

In addition, forced dispersal actions by security forces aimed at hindering demonstrations have been observed, even in contexts in which there were no obstructions to the free movement of people and vehicles, preventing the legitimate exercise of a right.

Records have shown that the agents have made an excessive and unlawful use of force against demonstrators, media workers and human rights defenders: it has been documented that police agents have carried firearms with lead ammunition, even though it is prohibited pursuant to local regulations and international standards.¹¹⁹ With respect to less lethal weapons, it has been detected that they are used in order to decongest the area; an indiscriminate use of chemical irritants on people's faces has been observed, which produce vomits, nose and mouth secretions and are applied manually or using guns; kinetic impact projectiles are shot at large crowds at people's chest and at a short distance and, in some cases, at their faces, causing serious injuries, including burns, bleeding and trauma. Beating using tonfas and shields was also documented. Finally, records have shown the massive use of water cannon vehicles with the goal of interrupting people's demonstrations.

117. Declaration of the CNPT and the Federal Council of Local Mechanisms for the Prevention of Torture regarding the issuance of the Protocol for Maintaining Public Order during Road Obstructions, 15 December 2023. Available [here](#).

118. During the operations, in general, the Police Forces of the City of Buenos Aires and all the federal security forces participate: the Argentine Federal Police (PFA), the National Border Police (GNA), the Argentine Naval Prefecture (PNA) and the Airport Security Police (PSA).

119. Specifically, it is prohibited pursuant to Article 99 of Act No. 5688 of the City of Buenos Aires.



In some protests, arbitrary detentions were recorded at the time of dispersal of demonstrators and people that were nearby, such as hawkers and homeless that wander around the area. Furthermore, there were records on obstacles to the exercise of rights and immediate compliance with fundamental safeguards, and detentions without a judicial order.

With respect to detentions, it was observed that many of them were judicially validated with a description of facts that lacked accuracy and were framed in general terms in concepts such as “resisting an officer”. According to the Committee’s analysis, these events are not isolated or random situations, but instead, they respond to a deliberate strategy with dissuasive purposes, intended to justify coercive measures and obtain evidence that would not otherwise be sustained, such as prolonged preventive detentions and investigations on the political profile of the detainees. Moreover, the Argentine Ministry of Security filed a criminal complaint for serious crimes such as insurrection, jeopardizing the constitutional order and democratic life and aggravated conspiracy against the organizers of a massive public demonstration that took place on 12 March.¹²⁰

The participation of motorized police officers is common when making arrests, conducting various forms of aggression. Allegations were received about beatings that included kicks, painful restraints, dragging, choking manoeuvres, crushing against the ground, and the use of pepper spray. At times, individuals were beaten and arrested while filming the events, with particular cruelty directed towards press personnel and photojournalists. Although the precise chemical characteristics of these substances are not known, some individuals stated that they experienced breathing difficulties, skin irritations, and nausea with prolonged effects.

As for the most serious injuries reported, serious high-profile cases should be highlighted: Pablo Grillo¹²¹, a photojournalist, was hit in the skull by a gas-launching shotgun used in an illegal manner,¹²² requiring multiple surgical interventions; a demonstrator called Matías Auferi¹²³ was struck in

120. Argentine Ministry of Security. The Argentine Ministry of Security reported acts of violence in the hooligans’ demonstration and accused the organizers of sedition and conspiracy. Available [here](#).

121. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: CNPT (2025). Report on the repression during the retiree’s march, 12 March 2025, Resolution 45/2025. Pages 10, 15, 31 and 33. Available [here](#).

122. Directly aimed at demonstrators.

123. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: CNPT (2024). Report on monitoring of public force used in protests in the City of Buenos Aires -December 2023 / January 2024, Resolution 11/2024. Page 23. Available [here](#)

the left eye by a rubber bullet, causing him to lose his vision; Jonathan Navarro¹²⁴ was hit by a “byrna” projectile, which led to the loss of vision in his left eye; and a woman participating in one of the demonstration days was rammed by police personnel, causing a fracture-dislocation in her leg. Special cruelty has also been observed towards photojournalists and older people, particularly given the weekly demonstrations demanding pension reforms. Furthermore, there have been reports of aggression towards minors, with a notable case being a 10-year-old girl who had gas sprayed in her face, as well as priests who were beaten in this context. To date, the CNPT has produced three public reports on different repression episodes in social protests with the monitoring conducted by the Committee, that are available on its website and which can provide a more in-depth analysis on this issue.¹²⁵ The Local Preventive Mechanisms of the City of Buenos Aires and the Province of Buenos Aires also prepared reports on the monitoring conducted over social protests.¹²⁶

In particular, given their magnitude, two repressive events stand out: the first one occurred on 12 June 2024 and the second one on 12 March 2025. The repression of 12 June 2024 took place within the framework of the parliamentary debate on the bill of the “Law on Bases and Starting Points for the Freedom of Argentines” and was characterized by the excessive and arbitrary use of less lethal weapons and the detention of 35 demonstrators who were put in Prison Units of the Federal Judiciary accused of insurrection. Later on, all the people were released and the courts dismissed the proceedings, which confirmed that the detentions were arbitrary. In addition, the demonstration of 12 March was significant for the aforementioned case of the photojournalist, Pablo Grillo, and for the detention of more than 100 people, who were immediately released by the judicial authority in office. The judicial authority stated that the information that had reached to them was “absolutely faulty” as a result of the characteristics of the procedure conducted by security forces, which did not comply with

124. The information in this case is in the public domain. The CNPT has already made public statements about this case. See for all: CNPT (2025). Report on the repression during the retiree’s march, 12 March 2025, Resolution 45/2025. Pages 10 and 31. Available [here](#).

125. CNPT (2024). Report on monitoring of public force used in protests in the City of Buenos Aires -December 2023 / January 2024, Resolution 11/2024. Available [here](#); CNPT (2024). Report on monitoring of public force used in protests during the debate of the “Law on Bases and Starting Points for the Freedom of Argentines” and detentions of demonstrators in federal prisons, Resolution 82/2024. Available [here](#); CNPT (2025). Report on the repression during the retiree’s march, 12 March 2025, Resolution 45/2025. Available [here](#).

126. Local Prevention Mechanism of the City of Buenos Aires (2025). Preliminary report on the monitoring of the use of public forces and the detentions within the framework of the public demonstration of retirees before the Argentine Congress. Available [here](#); CPM (2025). Special report | Monitoring of the repression of security forces at public demonstrations. Available [here](#).



requirements that enable “conducting a legality and reasonableness control over the detentions”, and that the context and complexity for weighing the rights to determine the existence of a criminal offence prevented the application of the ordinary flagrancy procedure.

It should be noted that in these events that occurred in the City of Buenos Aires the federal security forces had a significant role, in particular the Argentine Federal Police (PFA), the National Border Police (GNA), and the Argentine Naval Prefecture (PNA). The aforementioned victims were seriously injured by the actions of personnel of different forces: Pablo Grillo by the National Border Police, Matías Auferi by the Argentine Federal Police and Jonathan Navarro by the Argentine Naval Prefecture. Moreover, in some demonstrations, the presence of personnel of the Federal Prison Service has been detected with transportation vehicles, intended for supporting actions.

However, and even though differentiated liabilities may be established, the Police of the City of Buenos Aires have also been part of the disproportionate use of force and, especially, the arbitrary detentions in those repressive operations. In that regard, in the demonstration of 12 March 2025, most of the one hundred arbitrary detentions were executed by that force.

Outside the City of Buenos Aires, other cases of disproportionate and arbitrary use of force were registered in some provinces.

In the case of the province of Jujuy, in June 2023, within the context of the reform to the provincial Constitution, there were two days of disproportionate use of force and massive arbitrary detentions, many of which included beatings. The CNPT and the Local Preventive Mechanism of Jujuy interviewed the detainees during their confinement and documented their injuries. It was documented that 58 people in total were detained, including Ms Fabiola Suarez, member of the Advisory Council of the Provincial Committee for the Prevention of Torture of Jujuy, who had attended the demonstration together with a delegate of the Argentine Secretariat for Human Rights, personnel of INADI and lawyers of Human Rights Organizations; police officers used excessive and arbitrary force, many injured people were registered as a result of their actions, including members of vulnerable groups, such as those of the indigenous communities of Chalala, Coquena, Ocuzamo, Rodeiro and Susques. Other cases of torture and ill-treatment were also recorded, which resulted in the application of the National Register of Torture and Ill-treatment to 28 cases,¹²⁷ one of which involved a globe rupture and the loss of vision of one eye of a 17-year-old teenager.

127. CNPT (2023). Report on the visit to the Province of Jujuy during the social protests of 17 and 20 June 2023, Resolution 16/2023. Available [here](#).

In 2023 there were also records of repression of social protests in the province of Salta. The police personnel repressed adolescents and health workers that were protesting at the entrance to the capital city using rubber bullets, shields and other elements that caused injuries that were verified by the Local Preventive Mechanism of that province. In addition, nineteen (19) people were arbitrarily detained.

In the province of Chaco, even though Provincial Act No. 2099-J is in force (which provides for minimum requirements for police actions in cases where the demonstration obstructs the free movement, with the goal of ensuring its secure development), the police do not allow occupying more than half a lane. On some occasions, the demonstrators' access to the road has been hindered using manual chemical irritants, applied directly to their faces. In addition, restrictions have been registered regarding people attending demonstrations who were approaching the Government House for delivering written requests.

In the province of Neuquén, in July 2025, a peaceful demonstration of the Mapuche community was being held in front of the Government House when the provincial police violently repressed the event. The procedure was characterized by the excessive, irrational, unnecessary and disproportionate use of public force by police officers which caused injuries produced by rubber bullets, chemical irritants, and beatings, and concluded with the detention of many people, including women, men, boys and girls of the Kelv Kurá, Fvta Xayen, Newen Kurá and Ragilew Cárdenas communities (*lofs*). Among the detainees, Mr Pablo Meuli was included, the Commissioner of the Local Preventive Mechanism of the Province of Neuquén¹²⁸.

In the province of Córdoba, at the end of 2025, a group of demonstrators of the State Workers Association (ATE) and the Argentine Workers Unit (CTA Autónoma) conducted a peaceful protest at the premises of the offices of the Secretariat for Social Development in the city centre, claiming the delivery of food to meal centres. When authorized to enter the building to discuss with the authorities in charge, the leaders and demonstrators were attacked inside by police officers of the province. In that context, a violent repression was produced inside and outside the building which included the use of irritant gases, beatings with sticks and shields, mechanical asphyxia and threats. Many people were injured, one of them very seriously, which was the case of the Secretary General of the trade union who had his arm fractured. At the event different divisions of the provincial police

128. This case is public knowledge. See for all: <https://www.lmneuquen.com/neuquen/tension-frente-casa-gobierno-el-desalojo-protesta-mapuche-hay-17-detenedos-n1200521>.



participated and it concluded with the arbitrary detention of fifteen demonstrators, men and women, including the main leaders of trade unions and meal centres. In fact, the detainees were immediately transferred to Prison Complex I of Bouwer, where most of them remained for almost 24 hours. Women suffered prison harassment practices and degrading searches like squatting and exposing their anal and vaginal cavities in front of other detainees. The Secretary General, after staying the first night at the hospital of the area due to his bone injury, was transferred to the men sector of the same prison complex, where he remained three days in a common pavilion, without any medical treatment or access to medication. After making a statement, the affected people were interviewed and their cases were included in the National Register of Torture and Ill-treatment.

Finally, in order to better exemplify the problem of using force in public demonstrations in violation of international standards, the CNPT created a video that is available on this [link](#).

S. Reforms and Adoption of Criminal Policies (Article 2 of the Convention)

In the last few decades, there was an increase in the imprisonment rate in Argentina, which requires a multifactorial analysis. Without question, legal reforms have had a fundamental role as they have been characterized by the increase in sentencing ranges for certain crimes, the restrictions to get through the criminal proceedings free and the limitations to anticipated releases.¹²⁹

To begin with, most local jurisdictions advanced towards a change to the prosecution model, moving from mix systems (reformed inquisitorial system) to accusatory systems. In addition, in order to increase the celerity of criminal proceedings, simplified procedures were implemented, such as flagrancy procedures and plea bargaining.

These jurisdictional changes were accompanied, in general, by legal reforms aimed at increasing the severity of punishments, within the framework of a generalized tendency to use imprisonment as the answer to cit-

129. In order to account for the historical increase in the imprisonment in Argentina, the CNPT has elaborated an interactive board that resumes the historical evolution of data regarding the number of people detained in prisons and police stations between 2001 and 2023. In addition, it includes the systematization of all the criminal and procedural reforms at the national and federal levels, issued in such period, which, in general, increased the severity of punishments. CNPT (2024). Legislative Reforms and Criminal Imprisonment in Argentina. Available [here](#).

izenship security challenges or the claims of the society. These reforms undermine constitutional rights and guarantees of people that are subject to criminal proceedings, affecting the principle of punishment progressivity, the proportionality of criminal sanctions, the right to defence and the principle of exceptionality of pretrial detention.

In particular, the reform to the Enforcement of Custodial Sentences Act of 2017 stands out, which substantially modified the concepts of parole, anticipatory releases and provisional releases, expanding the formal requirements and restricting even more the time requirements to apply for each one of them. Specifically, with the reform of Article 56bis, the access to parole was substantially restricted, which requires that people deprived of their liberty serve the totality of their sentence in prison. Recently, through a plenary decision, the Federal Court of Cassation in Criminal Matters determined that such Article was compatible with the regime of punishment progressivity, the principle of equality before the law and the principle of reasonable acts of government.¹³⁰

This reform trend, which is regressive for the rights of people subject to a proceeding and entails greater severity of punishment, was also observed in the main bills submitted in 2024. In that regard, the Argentine Executive promoted legislative initiatives that advanced following this approach, two of which were enacted: Act No. 27,786 on the comprehensive approach to organized crime and Act No. 27,785, which introduces amendments to the Criminal Code and the Federal Code of Criminal Procedure in the field of recidivism, repeated criminal conduct, concurrent offences and unification of convictions.

The reforms are characterized by the increase in the sentencing ranges, the application of custodial sentences without having the possibility of a conditional enforcement, the increase in police powers without a focalized judicial control on low-income settlements, the creation of new crimes and the widespread use of pretrial detention. Specifically, they entail a criminal legislative inflation that will result in the increase of imprisonment rates and will have an impact on the overpopulation growth in places of detention, both in detention centres and police stations.¹³¹

130. Federal Court of Cassation in Criminal Matters, Agreement No. 7/2025 – Plenary Decision No. 16 “*TOBAR COCA, Néstor s/ inaplicabilidad de ley*”, 8 April 2025.

131. The CNPT, together with the Federal Council of Local Mechanisms, presented observations to such bills that may be consulted for a detailed and in-depth analysis. CNPT and Federal Council of Local Mechanisms (2024). Observations of the National Committee for the Prevention of Torture and the Federal Council of Local Mechanisms. Available [here](#) and [here](#).



The concept of repeated criminal conduct (*reiterancia*) should be noted, which has gained a central role in the administration of criminal justice, which uses ongoing criminal cases against a person to assess the existence of procedural risk and decide whether to apply a custodial precautionary measure. That is, multiple accusations by judicial authorities enable imposing pretrial prisons, creating a *iuris tantum* presumption regardless of the particularities of each case. The new national legislation states that there is repeated criminal conduct if the accused person was called for the formalization of the investigation in another proceeding. This means that this concept may be applied, regardless of the progress, legal basis or merit of the other proceeding, or even if it is verified that the person appeared at the different procedural instances to which they were called, that is, non-existence of risk of flight or obstruction to the investigation.

This mechanism has already been established in provinces like Mendoza, which incorporated it in 2016. Article 293 of Act No. 6,730 sets forth the requirements for the imposition of pretrial detention, which includes the case of “alleged repeated criminal conduct”. In Córdoba, Act No. 8,123, which regulates the admissibility of pretrial detention in its Article 281ter, includes, among the relevant grounds, the risk of obstruction that may exist with respect to victims, witnesses, or experts, and states that such a risk may be inferred “from an escalation of violence, understood as the repetition of violent acts either within the same proceeding, a prior one, or one currently in progress”. In Chaco, Act No. 4,538 considers, for the determination of pretrial detention, as an indication that the accused may attempt to evade justice, “the following circumstances: repeated criminal conduct”. In Tucumán, Act No. 6,203 provides for the possibility of pretrial detention in its Article 293, which establishes that it may be imposed in cases involving allegations of crimes committed “repeatedly”.

In addition, in 2024 it was incorporated into the Federal Code of Criminal Procedure (Articles 17, 210, 218 and 222bis) and the Code of Criminal Procedure (Act no. 23,984, Articles 280 and 312) as an additional ground to impose pretrial detention; and also in the jurisdictions of the City of Buenos Aires (which in June 2024 approved Act no. 6,729 that incorporates as a ground for assessing the risk of flight the “*repeated criminal conduct, understood as the current existence of more than one criminal proceeding with a trial request aimed at investigating intentional crimes punishable with custodial sentences. Excluded from this provision are acts investigated within the exercise of freedom of expression, demonstrations, or petitioning before authorities, provided that such acts are not concurrent with crimes against persons or damage to property*”). In Santa Fe, in December 2024, Act No. 14,392 was approved, amending its Criminal Code of Procedure to include,

among the grounds for procedural risk to assess pretrial detention, *“being investigated or having been investigated in other criminal proceedings for the possible commission of intentional crimes within three (3) years prior to the act for which pretrial detention is sought, provided that the accused previously had pretrial detention or any of the measures set forth in Article 219 imposed in any of those proceedings”*).

In Corrientes, in 2024, as a ground to assess the risk of flight for imposing pretrial detention, Article 224(c) of Act No. 6518 incorporated *“the existence of one or more other criminal investigations against the accused in which formal charges have been made and/or apprehensions and/or prior detentions have been recorded and/or prior convictions exist and/or a high probability that the accused is linked to other intentional criminal acts”*. More recently, in July 2025, Neuquén incorporated the concept of repeated criminal conduct as grounds for ordering pretrial detention (by the enactment of Act No. 3514, which amended Articles 114 and 114^{quienes} of the Provincial Code of Criminal Procedure).

This legal mechanism undermines the exceptional nature of pretrial detention as a precautionary measure and ends up becoming the norm in criminal proceedings. It is worth noting that individuals subject to criminal proceedings and deprived of their liberty have limited opportunities to access work, education, and other rights, as the progressive regime established in the penal enforcement laws is generally not applied.

Finally, according to the CNPT, these reforms would require delving into the problem of the abusive use of pretrial detention in Argentina. Although each one of the local jurisdictions may have different regulatory and practical aspects, the excessive use of pretrial detention is a problem that is reported in Argentina as a whole.