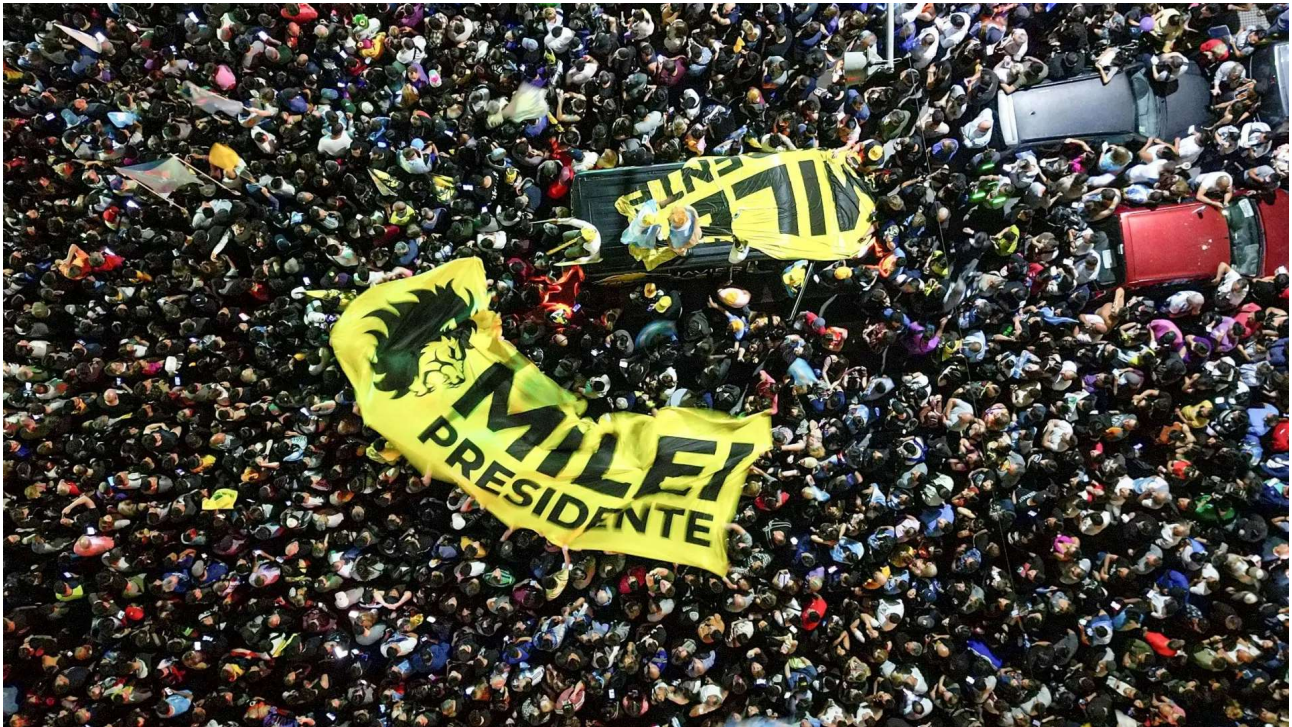


World Report 2024



Argentina

Events of 2023

Supporters of presidential candidate Javier Milei gather outside his campaign headquarters after his opponent, Economy Minister Sergio Massa, conceded defeat in the presidential runoff election, in Buenos Aires, Argentina, November 19, 2023.

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Argentina's longstanding economic crisis, which brought soaring levels of inflation and an accelerated currency depreciation in 2023, increased poverty and hindered the realization of economic and social rights.

The government pushed for a politically motivated Congressional impeachment process against Supreme Court justices and used hostile rhetoric against judges.

For years, Congress has failed to appoint an attorney general, an ombudsperson, and a Supreme Court justice, important human rights officials whose selections would require a two-thirds majority vote in Congress. High levels of polarization, which increased during the 2023 presidential campaign, have contributed to Congressional deadlock and undermined the rule of law.

In November, Javier Milei defeated incumbent minister of economy Sergio Massa in a presidential run-off. As a candidate, Milei promised to carry out severe cuts in government spending, questioned climate change, minimized systematic human rights violations committed during the country's latest dictatorship, and criticized the decriminalization of abortion. He took office on December 10, on the 40th anniversary of Argentina's return to democracy.

Threats to Democratic Institutions

In January, then-President Alberto Fernández asked Congress to impeach all four Supreme Court justices. A Congressional committee dominated by pro-administration legislators voted in February to initiate the impeachment and as of October was deliberating and calling witnesses. A two-thirds majority in the House of Representatives and then the Senate is required for impeachment.

The proceedings focus on three rulings: the first from 2017 that opened the door to the early release of people convicted of crimes against humanity; the second from 2021 that made the Supreme Court president the president of the Council of the Judiciary, which appoints federal judges; and the third from 2022 requiring a more favorable distribution of resources to the city of Buenos Aires, which is governed by the opposition.

The impeachment request came in the context of hostile rhetoric by high-level government officials toward judges and prosecutors who ruled against the government or were investigating corruption allegations against then-Vice President Cristina Fernández de Kirchner.

In September, pro-administration senators and allies extended the mandate of a judge who handled a corruption investigation into the then-vice president. Then-President Fernández ratified the extension. The Supreme Court ruled in September that the judge's mandate had expired in August, when she turned 75, and therefore could not be extended.

The Supreme Court has had a vacancy since 2021. The constitution requires the president to nominate a candidate, whom the Senate needs to confirm with a two-thirds majority. Former President Fernández did not nominate a candidate.

The Supreme Court ruled in 2015 that delays in appointments, which leave temporary judges serving for years, undermine judicial independence. As of October, 282 federal and national judgeships remained vacant.

An interim attorney general has served since 2018, as the Senate cannot muster the two-thirds majority required for an appointment. In September, the interim attorney general complained of a "hostile environment" for his work, with dozens of attempts to remove him.

Congress has failed to appoint an ombudsperson since 2009, crippling the Ombudsperson's Office, which is supposed to be independent and investigate the federal government for human rights violations. The office stopped functioning normally when a deputy ombudsperson, whose term ended in 2013, was not replaced.

Economic and Social Rights

Year-to-year inflation was 138.3 percent as of September, the government reported, with food and non-alcoholic drink prices increasing by 150.1 percent. The Fernández administration unsuccessfully tried to slow inflation, including through price controls, tariff freezes, and export closures.

As of June 2023, 40.1 percent of the population lived in poverty, a sharp increase from 27.5 in 2019 (pre-pandemic), according to official data. People living in extreme poverty—unable to meet key elements of the right to food—amounted to 9.3 percent of the population. Almost half of children under 14 were living in poverty, and more than 1 in 10 were in extreme poverty.

As of March 2023, official data showed 36.7 percent of workers were employed in the informal labor market, lacking formal labor protections. Three out of four domestic workers, who are almost all women and girls, work informally, official data showed.

Prison Conditions and Abuses by Security Forces

In recent years, the country has seen significant increases in the prison population, which overcrowds facilities in several provinces. The government reported over 100,000 people in detention facilities in 2022, a 77 percent surge since 2010. Over 12,000 more were held in police stations.

By 2022, 41 percent of the prison population was awaiting trial, official data showed.

The National Penitentiary Office reported 316 complaints of torture or ill-treatment in federal prisons in 2022 and 66 from January through March 2023. The Attorney General's Office reported 42 deaths in federal prisons in 2022, including 10 violent deaths.

In June, Jujuy province security forces reportedly used excessive force against people protesting reforms to the provincial constitution, injuring several people. The proposed changes include provisions criminalizing roadblocks in a way that runs counter to international human rights standards on freedom of expression and association.

In July, three city of Buenos Aires police officers were sentenced to life in prison for the 2021 killing of Lucas González, 17, who was shot after leaving a football practice. Five more police were sentenced to between four and six years in prison for covering up the crime.

In August, photojournalist Facundo Morales died after police held him to the floor during a demonstration in the city of Buenos Aires. The mayor alleged that Morales died from a heart attack. Rights groups said that police were responsible. An investigation into his death was ongoing at time of writing.

Freedom of Expression

In Rosario, Santa Fe province, organized crime groups have reportedly threatened journalists and thrown explosives at their offices. The city has seen a surge in homicides and violence linked to drug trafficking.

High-level authorities, including then-President Fernández and then-Vice President Fernández de Kirchner, have used hostile rhetoric to stigmatize independent journalists and media, inaccurately accusing them of “fake news,” “hate speech,” and “slander campaigns.”

In Salta province, legislators passed a law, supposedly to control the spread of false information, allowing jail terms of as long as 25 days for people involved in the “creation and propagation of false information with the intent to induce fear.” Such overbroad provisions could easily be used to target journalists and critics.

Women's and Girls' Rights

A landmark 2020 law legalized abortion until the 14th week of pregnancy and longer in cases of rape or risk to the life or health of the pregnant person. Authorities reported over 96,000 legal abortions in 2022. Obstacles to legal abortion reportedly included lack of access to information about the law; excessive use of “conscientious objection,” which allows medical staff to refuse to perform abortions; and undue delays and disparities in access to services among provinces.

In a ruling made public in January, the Inter-American Court of Human Rights found Argentina responsible for the death of Cristina Brítez Arce, who died of cardiac arrest in 1992 when induced to labor. The court found that Brítez did not receive proper medical treatment, considering several known risk factors in her pregnancy, or have adequate information on treatment alternatives. Using the term for the first time, the court called her treatment “obstetric violence.”

Despite a 2009 law detailing comprehensive measures to prevent and prosecute violence against women, their unpunished killing remains a serious concern. The National Registry of Femicides reported 226 femicides—the murder of women and girls based on their gender—and only 4 convictions in 2022.

Environment and Indigenous Peoples' Rights

The Argentine Constitution protects Indigenous communal ownership of traditional lands. In 2020, the Inter-American Court of Human Rights ordered Argentina to adopt legislative measures to guarantee that right. Congress has repeatedly postponed consideration of a law to ensure these protections.

In 2021, Argentina ratified the Escazú Agreement, a regional accord to ensure access to environmental information and public participation in environmental decision-making and to protect environmental defenders. A 2022 government analysis of the agreement's implementation found the country's legal framework does not ensure effective public participation in the management of forests. Argentina lost 231,000 hectares of primary forest in 2022, Global Forest Watch reported, mostly in the biodiverse Gran Chaco region, with cattle ranching and soy cultivation being the main drivers of conversion.

Confronting Past Abuses

The Supreme Court and federal judges, in the early 2000s, annulled pardons and amnesty laws shielding officials implicated in the 1976-1983 dictatorship's crimes. As of September, the Attorney General's Office reported 3,732 people charged, 1,159 convicted, and 178 acquitted of crimes against humanity. The large number of victims, suspects, and cases makes it difficult for prosecutors and judges to bring those responsible to justice while respecting their due process rights.

As of September, 133 people illegally taken from their parents as children during the dictatorship had been identified and many had been reunited with their families, the Abuelas de Plaza de Mayo, a human rights group, reported.

Court battles continue 29 years after 85 people died and more than 300 were injured in the bombing of the AMIA Jewish Center. Nobody has been convicted. In February 2019, a court convicted a former intelligence chief and a judge of interference in the initial investigation but acquitted former President Carlos Menem. An appeal of the judge's conviction remained pending as of September 2023. In 2015, prosecutor Alberto Nisman, who had accused then-President Fernández de Kirchner of covering up Iran's role in the attack, was found dead. In 2018, a court of appeal said that he appeared to have been murdered. At time of writing, nobody has been convicted in connection with his death.

In 2021, a federal court dismissed Nisman's accusation against Fernández de Kirchner, saying her actions did not constitute a crime. In September 2023, an appeals court overturned the decision, ordering Fernández de Kirchner to trial.

Key International Actors

In 2022, the Fernández administration renegotiated a program with the International Monetary Fund (IMF) for US\$44 billion. In 2018, the administration of then-President Mauricio Macri had agreed to a \$57 billion program that, according to the IMF, did not deliver on its objectives. Throughout 2023, the government and the IMF rediscussed several economic targets, including fiscal deficit, social spending, and currency devaluation.

Foreign Policy

As a member of the United Nations Human Rights Council, Argentina supported scrutiny of various states' human rights records in 2023. It voted in favor of a resolution extending the mandates of a group of UN experts investigating systematic rights violations in Nicaragua, a similar group covering Syria, and the special rapporteurs on the human rights situations in Russia, in Iran, and in Belarus.

Throughout the electoral process in Guatemala, Argentina expressed its concern about attempts by political actors and several institutions to interfere with the election and urged respect for the will of the people.

In August, the BRICS—a group of emerging economies that includes Brazil, Russia, India, China, and South Africa—invited Argentina, along with five other countries, to join, starting in 2024.

President Milei said he would align with Israel and the United States. During his campaign, he said he would reject the invitation to join BRICS and sever ties with China and the administration of President Lula da Silva in Brazil.