

World Report 2023



Argentina

Events of 2022

A man collects cardboard boxes on the street, which he then sells in a recycling yard in Buenos Aires, Argentina on July 28, 2022. With an inflation rate of 71 percent, Argentines' purchasing power is in permanent decline.

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Human rights problems in Argentina include police abuse, poor prison conditions, and endemic violence against women. A longstanding economic crisis has particularly impacted people living in poverty.

President Alberto Fernández, Vice President Cristina Fernández de Kirchner, and members of the cabinet used hostile rhetoric against the judiciary, the Attorney General's Office, and the independent press.

A political crisis fueled by economic problems and polarization has created a challenging environment for human rights progress. An investigation into a man's attempt, in September 2022, to kill Fernández de Kirchner by triggering his gun twice near the vice president's head, was ongoing at time of writing.

Judicial and Prosecutorial Independence

A federal court continued investigating a former director and deputy director of Argentina's Federal Intelligence Agency on conspiracy charges for the illegal surveillance of journalists, union members, and politicians under former President Mauricio Macri.

Some provinces and municipalities lack freedom of information laws, undermining transparency.

Prison Conditions and Abuses by Security Forces

The National Penitentiary Office reported 233 cases of alleged torture or ill-treatment in federal prisons in 2021; and 117 from January through June 2022. The Attorney General's Office reported 43 detainee deaths in federal prisons in 2021, including 9 violent deaths and 9 from Covid-19.

Almost half of the 11,280 federal prison detainees are awaiting trial, the government reports.

Security forces occasionally participate in abuses and employ excessive force. In June, a woman died in a police station in Laprida, Buenos Aires province. Five police officers were arrested for allegedly killing her and portraying her death as a suicide.

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 2022, the Attorney General's Office reported 3,631 people charged, 1,088 convicted, and 165 acquitted of crimes against humanity.

As of September, 130 people illegally taken from their parents as children during the dictatorship had been identified and many had been reunited with their families, according to the Abuelas de Plaza de Mayo, a human rights group.

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.

Impunity for the AMIA Bombing

Twenty-eight years after 85 people died and more than 300 were injured in the bombing of the AMIA Jewish Center, court battles continue. 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 October 2022.

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. As of writing, nobody has been convicted in connection with his death.

A federal court, in 2021, dismissed Nisman's accusation against Fernández de Kirchner, saying her actions did not constitute a crime.

In August 2022, President Fernández said Nisman had committed suicide and that he hoped that a prosecutor who charged Vice President Fernández de Kirchner with corruption would not do the same.

Indigenous people face obstacles to accessing justice, land, education, health care, and basic services.

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 those rights. Yet debates on a law to concretize protections are continually postponed.

Key International Actors and Foreign Policy

In 2022, Argentina assumed the presidency of the United Nations Human Rights Council. It supported the council's scrutiny of rights violations in Afghanistan, Belarus, Eritrea, Nicaragua, Russia, and Ukraine. However, Argentina abstained from voting resolutions extending the mandate of a group of UN experts investigating systematic rights violations in Venezuela and proposing a debate on the human rights situation in the Xinjiang Uyghur Autonomous Region of China.

Argentina assumed the 2022 presidency of the Community of Latin American and Caribbean States (CELAC), which serves as a space for regional integration and cooperation with other countries, such as China and India. In a CELAC meeting in August, President Fernández said that the CELAC should replace the Organization of American States (OAS) which, in his view, "no longer represents" Latin America and the Caribbean.

Argentina voted in favor of resolutions passed by the OAS in 2022 condemning Russia's invasion of Ukraine, suspending Russia's OAS permanent-observer status, and urging the Nicaraguan government to release political prisoners.

In October, a federal court in Argentina opened a criminal investigation into Nicaragua's President Daniel Ortega and Vice President Rosario María Murillo for alleged crimes against humanity. The court applied the principle of universal jurisdiction, which allows authorities to prosecute certain grave crimes, regardless of where they occur and the nationality of victims and perpetrators.