



# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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## Committee against Torture

### Concluding observations on the seventh periodic report of Argentina\*

1. The Committee considered the seventh periodic report of Argentina<sup>1</sup> at its 2211th and 2214th meetings,<sup>2</sup> held on 12 and 13 November 2025, and adopted the present concluding observations at its 2229th and 2231st meetings, held on 25 and 26 November 2025.

#### A. Introduction

2. The Committee expresses its appreciation to the State Party for accepting the simplified reporting procedure, as this allows for a more focused dialogue between the State Party and the Committee.

3. The Committee appreciates having had the opportunity to engage in a frank and transparent dialogue with the State Party's delegation, and the responses provided to the questions and concerns raised during the consideration of the report.

#### B. Positive aspects

4. The Committee welcomes the State Party's initiatives to revise its legislation in areas of relevance to the Convention, such as:

(a) The promulgation of Act No. 27.610 on access to voluntary termination of pregnancy, in 2021;

(b) The adoption, in 2019, of Act No. 10.636, applicable in Córdoba Province, on the establishment of the Children's Ombudsman to legally represent the individual interests of children and adolescents in all administrative and judicial proceedings, and of the related regulations, in 2022;

(c) The adoption of Act No. 27.499 on compulsory gender training for all persons entering the three branches of government, in 2019.

5. The Committee commends the State Party's initiatives to amend its policies and procedures in order to afford greater protection of human rights and to apply the Convention, in particular:

(a) The adoption of the National Action Plan for Combating Gender-Based Violence 2020–2022;

(b) The adoption of national plans concerning trafficking in persons and exploitation covering the periods 2020–2022 and 2022–2024;

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\* Adopted by the Committee at its eighty-third session (10–28 November 2025).

<sup>1</sup> CAT/C/ARG/7.

<sup>2</sup> See CAT/C/SR.2211 and CAT/C/SR.2214.



(c) The establishment of the Integrated System for Cases of Gender-based Violence, in 2021;

(d) The establishment of the National Directorate for Racial Equity, Migrants and Refugees, with the aim of strengthening the promotion of the rights of migrants and refugees and coordinate actions in this domain, in 2020;

(e) The establishment, through resolution No. 80/2020, of the programme for the provision of urgent support and comprehensive assistance in cases of femicide, transvesticide and transfemicide, in 2020;

(f) The establishment of the Centre for the Assistance of Crime Victims, in 2018;

(g) The establishment, in 2017, of the National Committee for the Prevention of Torture, as the lead agency for the coordination of the National System for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the set-up of 15 provincial torture prevention mechanisms.

6. The Committee welcomes the fact that the State Party has issued a standing invitation to the Human Rights Council special procedure mandate holders.

## C. Principal matters of concern and recommendations

### Pending follow-up issues from the previous reporting cycle

7. In its previous concluding observations,<sup>3</sup> the Committee requested the State Party to provide information on its follow-up to the Committee's recommendations regarding police violence, the National System for the Prevention of Torture and the national register of cases of torture and ill-treatment.<sup>4</sup> In view of the information submitted by the State Party on 11 May 2018 in response to this request<sup>5</sup> and the information contained in the State Party's seventh periodic report, and with reference to the letter sent to the State Party on 23 October 2018 by the Rapporteur for follow-up to concluding observations,<sup>6</sup> the Committee considers that the recommendations have been only partially implemented. The outstanding issues addressed in the previous concluding observations are covered in paragraphs 14 to 17, 24 and 25 of the present concluding observations.

### Definition of torture

8. The Committee reiterates its concern that the definition of the offence of torture in article 144 ter of the Criminal Code is not fully in line with the definition contained in article 1 of the Convention. The Committee points out that the current definition of the offence of torture does not specify the purpose of the conduct in question or include among the possible perpetrators other persons acting in an official capacity or at the instigation or with the consent or acquiescence of a public official (arts. 1 and 4).

9. **The Committee reiterates its previous recommendation<sup>7</sup> to the State Party that it amend article 144 ter of the Criminal Code to bring the definition of torture fully into line with article 1 of the Convention by including as perpetrators other persons acting in an official capacity or at the instigation or with the consent or acquiescence of a public official, as well as the reasons or factors that motivate the use of torture. The Committee emphasizes that any amendment of the definition of torture must be fully in line with the provisions of the Convention.**

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<sup>3</sup> CAT/C/ARG/CO/5-6, para. 43.

<sup>4</sup> Ibid., paras. 14 (a), 26 and 32.

<sup>5</sup> CAT/C/ARG/CO/5-6/Add.1.

<sup>6</sup> See

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFFUL%2FARG%2F32844&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFFUL%2FARG%2F32844&Lang=en).

<sup>7</sup> CAT/C/ARG/CO/5-6, para. 10.

### Fundamental legal safeguards

10. The Committee takes note of the assurances provided by the delegation concerning the strict observance of constitutional provisions requiring that all deprivations of liberty be carried out pursuant to a judicial order or in cases of proven *flagrante delicto*. However, it is concerned about reports that these safeguards are not always rigorously applied in practice. In particular, the right of persons deprived of liberty to be informed of the reasons for their arrest and the charges against them is not always respected, especially in the event of street arrest in situations of *flagrante delicto* or in the context of police searches without a warrant, which reportedly primarily affect children, sex workers and persons in street situations, especially those with mental health problems. In addition, there are delays in obtaining access to legal counsel, which is usually granted between 24 and 48 hours after arrest and only after formal indictment. The Committee is also concerned about reports that the medical examinations conducted upon admission to detention centres, which are superficial and carried out with police officers present, lack thoroughness and independence. The Committee also takes note of the publication of an annual prison census by the National Prison Statistics System and the monthly detention register kept by the National Directorate of Criminal Statistics of the Ministry of Security. It is concerned, however, about the lack of information on a unified, up-to-date system for the registration of persons deprived of their liberty at the national level, which is essential for knowing in real time the number of people detained – whether in prisons, police stations or elsewhere – and their procedural and penitentiary status (art. 2).<sup>8</sup>

11. **The State Party should take effective measures to ensure that detained persons enjoy in practice all fundamental safeguards from the outset of their deprivation of liberty, in accordance with international standards, in particular the right to be informed of the reasons for their detention, to be promptly assisted by a lawyer, to receive high-quality legal assistance free of charge where necessary and to request and undergo a confidential medical examination performed free of charge by an independent practitioner or a doctor of their choice. In addition, the State Party should create a centralized register of persons deprived of liberty containing up-to-date information, which is accessible to national and provincial justice officials and to detainees' legal representatives and relatives.**

### Prolonged detention in police facilities

12. While it takes note of the information in the State Party's periodic report regarding the Federal System of Security and Housing Measures, which provides real-time information on the number of people held in facilities of the federal forces and the number of places available, the Committee points out that up-to-date statistical data are not available on the situation in all the provinces. Furthermore, the Committee is seriously concerned about situations of prolonged detention, in particular reports of individuals who have been held for over six months, and in some cases for more than a year, in police stations or other police facilities that, by definition, are not designed for long stays. According to the information provided to the Committee, the conditions of detention in police facilities are extremely poor, characterized by issues such as cells lacking ventilation and natural light, lack of appropriate sanitation facilities, limited access to drinking water, insufficient food and lack of outdoor spaces and recreational areas. Significant delays in provision of healthcare to detainees have also been observed (arts. 2, 11 and 16).

13. **The State Party should, as a matter of urgency, takes steps:**

(a) **To end the use of police facilities for long-term deprivation of liberty, promote the transfer to appropriate detention centres once persons held in police custody have been formally charged and strengthen institutional mechanisms that ensure effective compliance with the ban on the use of police facilities for this purpose;**

(b) **To ensure that persons held in such facilities are treated appropriately while a solution is urgently sought to put an end to the practice. This entails ensuring immediate access to healthcare, acceptable sanitation facilities, drinking water,**

<sup>8</sup> [CAT/OP/ARG/ROSP/1](#), para. 50.

**sufficient food and outdoor spaces or recreation areas. The State Party should also conduct a diligent assessment to determine whether persons held in police facilities could benefit from alternatives to detention.**

#### **National System for the Prevention of Torture**

14. The Committee is concerned about the fact that the renewal of the National Committee for the Prevention of Torture, through the filling of vacancies and the replacement of members whose mandates have been extended, remains pending before Congress, which is reportedly having an adverse effect on the activities of the national preventive mechanism. Although there are 15 local preventive mechanisms, the Committee is concerned about reports that some provinces still do not have legislation in this regard and others have only partially implemented the legislation in force. According to the information available, most of these mechanisms are facing serious budgetary constraints. It has also been brought to the Committee's attention that they have limited operational autonomy and little civil society participation in their activities, despite these being requirements under Act No. 26.827 on the establishment of the National System for the Prevention of Torture, and that they face difficulty gaining access to all places of detention and a lack of cooperation from the authorities, especially in Tucumán Province (art. 2).

**15. The State Party should immediately designate the new members of the National Committee for the Prevention of Torture to ensure the effective and continuous operations of the national preventive mechanism and compliance with the State Party's international obligations in this area. It should also ensure unrestricted access to all places of deprivation of liberty and the possibility of conducting confidential interviews with detainees. In addition, the State Party should take the measures necessary to complete without delay the establishment of local preventive mechanisms in all the provinces and ensure that they have the human and financial resources and the operational autonomy necessary to discharge their mandate, in keeping with the Optional Protocol to the Convention, including with regard to access to all places of deprivation of liberty.<sup>9</sup> Lastly, the State Party should ensure that civil society is involved in the National System for the Prevention of Torture, including in the conduct of visits to places of detention, in keeping with Act No. 26.827.**

#### **Police misconduct**

16. The Committee notes the measures taken by various entities of the State Party to develop guidelines, operational models and training programmes on the proportional use of force by the country's police forces. The Committee is concerned, however, about reports of acts of disproportionate violence by police officers and of excessive use of force during arrests, especially in the context of flagrante delicto and police searches. It is also concerned about reports of mass detentions, followed by acts of harassment and arrest without judicial oversight, in the context of "preventive operations", such as those carried out, including against children, in low-income neighbourhoods in Tucumán, and of "order and cleanliness operations" in the City and Province of Buenos Aires against persons in street situations, including some with mental health or substance abuse problems. Reports of abuses committed during operations conducted by municipal patrols in Buenos Aires Province are also of concern (arts. 2, 12, 13 and 16).

17. **The State Party should:**

(a) **Take the measures necessary to prevent mass detentions, harassment, discriminatory treatment and acts of disproportionate violence by police officers during street arrests in the context of flagrante delicto, police searches and other police operations and to put an end to such practices. It should also ensure that all complaints of such conduct are investigated promptly, effectively, independently and impartially and that, where officers are found responsible, they are punished appropriately;**

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<sup>9</sup> See the Subcommittee's general comment No. 1 (2024) on the definition and scope of places of deprivation of liberty.

(b) **Take the measures necessary to put an end to the activities of municipal patrols in Buenos Aires Province, which exercise quasi-policing functions without legal basis or judicial oversight, and ensure that all security-related actions are carried out within the framework of the law and with effective judicial oversight.**

**Excessive use of force in the context of protests**

18. The Committee takes note of information provided by the delegation on the human rights training programmes for members of the federal security forces that include specific modules on containment and crowd control techniques and the use of firearms. However, the Committee remains concerned about the following issues:

(a) The provisions of Ministry of Security Resolution No. 125/2024 weaken the obligation of members of the police and federal security forces to identify themselves during operations and increase their discretionary power to resort to firearms at the slightest suspicion of a serious offence;

(b) Ministry of Security Resolution No. 704/2024, regulating the use of non-lethal weapons by the police and federal security forces, does not sufficiently specify the situations in which these weapons can be used, including on the basis of the fundamental principles of legality, necessity, proportionality, precaution and non-discrimination;

(c) Ministry of Security Resolution No. 943/2023, establishing a protocol for the maintenance of public order in the event of roadblocks on national roads and other thoroughfares in the context of protests, does not include clear criteria for limiting the use of less lethal weapons, and the Committee regrets the lack of a response to its request for information on who makes decisions to invoke the protocol and how these decisions are made. Furthermore, the Committee is concerned that the wording of article 2 of this protocol could be interpreted as an automatic presumption of *flagrante delicto* in case of roadblocks and an increase of the discretionary powers of the security forces in such situations, without the safeguards necessary to prevent undue restrictions on the right to protest. While the Committee takes note of the delegation's assurances that the provisions of the protocol do not limit the exercise of fundamental rights, including the right to protest, or exempt officers from the obligation to identify themselves or from administrative and judicial oversight, it regrets not having received exhaustive information on the investigation of complaints of possible misconduct by the police in the context of such operations during the reporting period, especially allegations of serious injuries resulting from the indiscriminate use of rubber bullets, tear gas and hydrant trucks and allegations of assault against journalists and human rights defenders during social protests, such as those in March 2025, in Buenos Aires;

(d) The initiation of criminal proceedings, by the executive branch, against at least one judge for alleged departure from due process rules in the exercise of her functions for ordering the release of detainees during social protests. Such proceedings could, in certain circumstances, have an intimidating effect and amount to interference with the independence of the judiciary;

(e) The violent repression, use of multiple kinetic projectiles and tear gas, arbitrary detentions and police searches conducted without a judicial order that allegedly took place during the protests by Indigenous communities in the Province of Jujuy in June 2023, as well as the lack of effective investigation of these complaints (arts. 2, 12–14 and 16).

**19. The State Party should:**

(a) **Consider revising the provisions of Resolutions No. 125/2024, No. 704/2024 and No. 943/2023 to ensure that they explicitly include the criteria of necessity, proportionality and precaution, and develop detailed guidelines on the use of less-lethal weapons and the use of force in the context of protests, along with accountability mechanisms to ensure compliance with the guidelines. In this regard, the Committee urges the State Party to harmonize laws and regulations on the use of force by the police with the relevant international standards, with particular attention paid to the provisions of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement, and to continue providing training in this domain to**

**members of the police and security forces. The State Party is invited to consider seeking relevant technical assistance from the Regional Office for South America of the Office of the United Nations High Commissioner for Human Rights;**

(b) **Ensure that all police operations during demonstrations and protests are recorded and that the recordings are accessible to independent investigative bodies;**

(c) **Investigate promptly, thoroughly, independently and impartially all complaints of excessive use of force in the context of demonstrations and protests.**

**Complaints of torture and ill-treatment of persons deprived of liberty**

20. While it notes the confirmation by the delegation that Federal Prison Service Resolution No. 1343/2011, which aims to promote the physical integrity and humane treatment of persons deprived of liberty, remains in force, the Committee is concerned about reports of the rising number of complaints of ill-treatment in prisons and police facilities since 2024. In particular, it is concerned about reports of torture and/or ill-treatment, including blows, threats, humiliation, violent “welcoming” practices and coercive interrogations, allegedly committed by prison personnel and police officers. It is especially concerned about cases documented at Piñero Prison, in Sante Fe, on 2 March 2024, which included mock drownings in water tanks or “dry” simulations using plastic bags, electric shocks and sexual abuse, and about the lack of information on any investigations carried out in these cases. It is further concerned about the use of mechanical restraints and forced administration of medication in crisis situations, especially for women, without the requisite prescription or monitoring by a doctor. Lastly, the Committee is concerned about reports of reprisals against detainees who lodge complaints, the lack of effective complaint and protection mechanisms for victims and witnesses and the fact that the sole option offered in such cases is transfer to solitary confinement or to another prison (arts. 2, 11–14 and 16).

**21. The State Party should:**

(a) **Ensure that all complaints of acts of torture and ill-treatment of persons deprived of liberty are investigated promptly, impartially and effectively by an independent body, that the complaints relating to Piñero Prison are investigated and that those responsible are prosecuted and appropriately punished;**

(b) **Ensure that alleged perpetrators of acts of torture or ill-treatment are immediately suspended from duty for the duration of the investigation, particularly when there is a risk that they might otherwise be in a position to repeat the alleged act, to commit reprisals against the alleged victims or to obstruct the investigation, while also ensuring that the principle of presumption of innocence is observed;**

(c) **Ensure that mandatory training on non-coercive interrogation and investigation techniques, including the Principles on Effective Interviewing for Investigations and Information-Gathering (the Méndez Principles), is provided to police officers and members of the security forces;**

(d) **Ensure that restraints are applied in accordance with the law, under strict appropriate supervision, for the shortest possible time, only when absolutely necessary and proportionate and only as a last resort, with a view to gradually phasing out their use;**

(e) **Set up effective complaint, protection and assistance mechanisms for victims and witnesses of acts of torture and take the measures necessary to prevent the alleged perpetrators from threatening or taking reprisals against them.**

**Investigation of complaints of torture and ill-treatment and impunity**

22. The Committee appreciates the information provided by the delegation regarding political, economic and other events in the State Party. It highlights the importance for the State Party, like all other States, to ensure that these events do not undermine its commitment to combating torture and impunity and the importance of promoting an environment that reinforces the centrality of the prohibition of torture and ill-treatment. In this regard, it welcomes the delegation’s statement affirming the State Party’s commitment to the

Convention and the international human rights protection system and to actively cooperating with the Committee. However, the Committee is concerned about information indicating that investigations into acts of torture and/or ill-treatment are rarely launched automatically, that such acts tend to be categorized as less serious offences, that forensic examinations and autopsies are deficient and that judicial proceedings are delayed, thus contributing to impunity. In addition, the Committee notes that, while some provinces have a prosecutor's office specialized in the investigation of acts of torture, ill-treatment and other forms of violence, it would appear from the information received that their human and material resources are insufficient to ensure thorough investigations, staff are insufficiently trained and there is a lack of appropriate protocols in place. It is concerned that, in cases of institutional violence, initial medical examinations are conducted by members of the security forces and independent forensic doctors are involved only in cases considered serious. The Committee is also concerned that, according to the delegation, a department of the Ministry of Security is responsible for processing complaints of institutional violence, which could affect the independence of the investigations (arts. 12–14).

23. **The State Party should:**

- (a) **Guarantee a zero-tolerance approach to torture and ill-treatment and ensure that a clear and effective statement, unequivocally affirming that torture and ill-treatment will not be tolerated under any circumstances and that the human rights of all persons in Argentina must be fully respected, is issued at the highest level and is transmitted to public officials at all levels;**
- (b) **Consider establishing prosecutor's offices specialized in the investigation of acts of torture, ill-treatment and other forms of violence in all provinces, allocating sufficient resources to them and ensuring that staff are trained and specific protocols are implemented;**
- (c) **Ensure that the authorities automatically launch an investigation whenever there are reasonable grounds to believe that an act of torture or ill-treatment has been committed, that there is no institutional or hierarchical relationship between the investigators and the alleged perpetrators, that the alleged perpetrators are brought to justice and that the victims or their families obtain comprehensive redress;**
- (d) **Take all measures necessary to ensure that forensic examinations are carried out by properly trained independent experts in accordance with international standards, in particular the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) and the Minnesota Protocol on the Investigation of Potentially Unlawful Death.**

**National register of cases of torture and ill-treatment**

24. With reference to the Committee's previous concluding observations<sup>10</sup> and the assessment conducted by the Rapporteur for follow-up to concluding observations, the Committee takes note of the data on documented cases of torture and ill-treatment in the context of deprivation of liberty collected by the National Committee for the Prevention of Torture and other bodies during visits to federal and provincial detention centres. It regrets, however, the lack of information on the status of the establishment of a national register of cases of torture and ill-treatment and on mechanisms designed to provide complete and up-to-date public information on this topic. While the Committee takes note of the records mentioned by the delegation during the dialogue, it regrets the lack of data on the number of complaints, investigations, procedures, convictions and reparation measures during the reporting period (arts. 12 and 13).

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<sup>10</sup> CAT/C/ARG/CO/5-6, para. 32.

25. **The State Party should strengthen the effectiveness of the data-collection system at the national level<sup>11</sup> and transmit to the Committee and relevant bodies complete information on the number of complaints lodged, investigations conducted, proceedings initiated and convictions handed down in cases of torture and ill-treatment.**

#### **Detention conditions**

26. The Committee takes note of the information provided by the State Party on the construction and renovation of prisons at the federal and provincial levels, the creation of new hospital units in prisons and the use of electronic monitoring devices for the enforcement of house arrest and other alternatives to detention. Nevertheless, the Committee remains concerned about overcrowding and inadequate material conditions in the country's prisons and about the steady increase in the prison population during the reporting period. The Committee is concerned that the transfer of the Federal Prison Service from the Ministry of Justice to the Ministry of Security could adversely affect the approach taken to prison management. The Committee is also concerned about reports that:

- (a) Pretrial detainees and convicted offenders are not held separately;
- (b) The healthcare provided in prisons, including specialized mental health services, rehabilitation programmes for substance abuse and tuberculosis prevention strategies are deficient, although the Committee takes note of the various measures, mentioned by the delegation, that have been taken to improve healthcare;
- (c) The healthcare system continues to be managed by the Ministry of Justice or the Ministry of Security, depending on the province, and the Committee's previous recommendation to transfer medical services to the Ministry of Health at the federal and provincial levels has not been implemented;
- (d) Women's prisons are deficient, including inadequate specialized healthcare, persistent obstetrical violence and a lack of basic products, women prisoners are held in establishments located far from their homes and alternatives to imprisonment are not sufficiently applied, especially with regard to pregnant women and women with children;
- (e) Access to educational opportunities and vocational training are limited;
- (f) Prisoners are subjected to invasive body searches, including digital vaginal examinations for women held at Federal Prison IV in Ezeiza, about which complaints have been lodged. In this regard, the Committee notes that the Federal Prison Service is developing a new general protocol on searches and inspections;
- (g) The relatives of prisoners, especially women and girls, are subjected to invasive body searches during visits, although the Committee takes note of the information provided by the State Party on the new guidelines for the control of entry to and exit from federal prisons (arts. 2, 11 and 16).

27. **The State Party should:**

- (a) Enhance conditions of detention and reduce the occupancy rate in prisons, including through the application of alternatives to deprivation of liberty, and ensure that improvements to existing prisons and the construction of new facilities are carried out in accordance with relevant international standards. In this regard, the Committee draws the State Party's attention to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);
- (b) Ensure that pretrial detainees and convicted offenders are held separately;
- (c) Ensure the allocation of the human and material resources necessary to provide appropriate healthcare to prisoners, including mental health services,

<sup>11</sup> Ibid.

substance abuse rehabilitation programmes and programmes for the prevention of infectious or transmissible diseases. In this regard, medical services should be attached to the Ministry of Health at the federal and provincial levels to safeguard their independence and impartiality;<sup>12</sup>

(d) Ensure that the specific needs of women deprived of their liberty are met and correct the shortcomings in the healthcare services provided to women prisoners, including by providing appropriate gynaecological and obstetrical care; ensure respectful treatment, eliminating all forms of obstetric violence; and ensure respect for family bonds by prioritizing alternatives to deprivation of liberty, in particular for pregnant women and women with young children;

(e) Ensure that body searches are carried out only when absolutely necessary and where there is clear evidence of wrongdoing, that their nature and frequency are strictly adapted to the objective sought, in compliance with the principles of necessity and proportionality, and that, where such searches are unavoidable, the dignity of detainees, visitors and other persons entering detention facilities is respected (see rules 50–53 and 60 of the Nelson Mandela Rules).

#### **Deaths in custody**

28. The Committee notes with concern the high rates of death in custody in all places of detention, most of which are the result of illness, although cases of suicide and homicide have also been recorded (arts. 2, 11 and 16).

29. **The State Party should:**

(a) Ensure that all deaths in custody are investigated in a prompt and impartial manner by an independent body, with due account taken of the Minnesota Protocol;

(b) Conduct a prompt, impartial and independent investigation whenever involvement by police officers or prison guards in such a death is suspected, ensure that there is no institutional or hierarchical relationship between the investigators and the alleged perpetrators of such acts and, where appropriate, duly punish those responsible and award fair and appropriate compensation to the families;

(c) Review the effectiveness of strategies and programmes for the prevention of suicide in prison.

#### **High-risk prisoners**

30. While it takes note of the information provided by the delegation regarding the judicial oversight mechanisms and other controls, the Committee is concerned about reports of the particularly difficult conditions to which persons deprived of liberty under the “high-risk” regime – including some who have yet to be convicted – are subjected, such as solitary confinement for up to 20 hours a day, limited access to healthcare and rehabilitation programmes, restrictions on visits and surveillance of communications with defence lawyers. According to information provided by the delegation, there were, at the time of the adoption of these concluding observations, 130 persons being held under this special regime in Federal Prison Service facilities; however, disaggregated public data on the total number of persons imprisoned under high-risk regimes countrywide have not been provided (arts. 2, 11 and 16).

31. **The State Party should review the special prison regimes for prisoners categorized as high risk and bring them fully into line with international human rights standards, including the Nelson Mandela Rules. In this regard, the State Party should ensure that any measures taken are strictly necessary and proportionate, that they are applied through a transparent process, including appropriate criteria for the assessment of risk and effective remedies to challenge the categorization, and that they are subject to regular review and periodic oversight by independent bodies.**

<sup>12</sup> [CAT/OP/ARG/ROSP/1](#), para. 117.

**Solitary confinement**

32. Although the regulations in force prohibit solitary confinement for more than 15 days, the Committee is concerned about reports of its widespread and indiscriminate use as a tool for disciplining prisoners, often without proper judicial supervision and in deplorable material conditions, and of its use for consecutive periods of 15 days, only briefly interrupted for procedural reasons (arts. 11 and 16).

33. **The State Party should ensure that its practices in relation to solitary confinement are in line with international standards, particularly rules 43 to 46 of the Nelson Mandela Rules. It should also ensure that solitary confinement is used only in exceptional cases as a last resort, for as short a time as possible (but no more than 15 consecutive days), subject to independent review, and only pursuant to authorization by a competent authority.**

**Juvenile justice**

34. The Committee is concerned about the high number of children and adolescents who are deprived of their liberty in the country, their detention in centres located far away from their families, the imposition of sentences of more than 10 years' imprisonment and the inadequate conditions in these centres. While the Committee welcomes the establishment of support and referral centres and the fact that there are custodial teams in police facilities responsible for providing specialized support in the event of the detention of minors, it notes that not all provinces have centres of this kind, that minors continue to be detained in police stations and that children and adolescents are held together with adults. The Committee shares the concerns raised by other human rights treaty bodies<sup>13</sup> regarding the bill which, should it be adopted, would lower the age of criminal responsibility from 16 to 14 years (arts. 2, 11 and 16).

35. **The State Party should:**

(a) **Take measures to ensure the dignified treatment of all children and adolescents deprived of their liberty and the maintenance of adequate conditions of detention in centres for children and adolescents;**

(b) **Ensure that children and adolescents are handed custodial sentences only as a last resort and for as short a time as necessary, that they are held separately from adults and that such sentences are limited to exceptional cases and are, to the extent possible, replaced with alternatives to detention. The State Party should ensure that conditions of detention in centres for children and adolescents meet the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty;**

(c) **Stop detaining children and adolescents in police stations;**

(d) **Ensure that the age of criminal responsibility is not lowered.**

**Asylum and non-refoulement**

36. While the Committee takes note of the information provided by the delegation on the fast-tracking of refugee status procedures, achieved through amendments to migration laws, it is concerned about the new measures introduced through Emergency Decree No. 942/2024, amending the Refugee Recognition and Protection Act (No. 26.165). These measures include the expansion of the grounds for denial of refugee status, the inclusion of offences that do not necessarily meet the threshold for seriousness, the shortening of the time frame for filing an appeal to 5 days and the removal of the suspensive effect of appeals. The Committee is also concerned about the promulgation of Emergency Decree No. 366/2025, which establishes, inter alia, the mandatory deportation of any foreign national who is convicted of an intentional offence, irrespective of the length of the sentence, which would constitute a significant change with respect to the previous regulations, which allowed deportation only for sentences of over 5 years (art. 3).

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<sup>13</sup> [CRC/C/ARG/CO/7](#), para. 52; and [CAT/OP/ARG/ROSP/1](#), para. 126.

37. **The State Party should ensure that no one may be expelled, returned or extradited to another State where there are substantial grounds for believing that he or she would be in danger of being subjected to torture. The Committee urges the State Party to consider the advisability of amending or repealing Emergency Decrees No. 942/2024 and No. 366/2025 to ensure compliance with the principle of non-refoulement. In addition, the State Party should ensure that asylum-seekers and other persons in need of international protection have access to fair and effective procedures for the individualized determination of their status as refugees and the right to appeal negative decisions within a reasonable time frame, with automatic suspensive effect.**

### **Training**

38. The Committee takes note of the information provided by the delegation, in particular with regard to Decree No. 455/2025, which provides for training in human rights and public safety for prison personnel, the launch of the training programme on human rights and prevention of institutional violence in 2024 and the strengthening of training programmes in torture prevention and dignified treatment for security and prison personnel. It also takes note of the delegation's assurances that experts, forensic doctors, healthcare professionals, prosecutors and judges are normally familiar with the Istanbul Protocol and the Minnesota Protocol, which are, on occasion, cited in judicial decisions. It is, however, concerned that these Protocols appear not to be systematically or properly applied (art. 10).

39. **The State Party should ensure that all existing and future training programmes for public officials working with persons deprived of their liberty include compulsory modules on the Convention, in particular the absolute prohibition of torture, the Istanbul Protocol, the Minnesota Protocol and other international norms. In addition, the State Party should ensure that similar modules are included in the training programmes for experts, forensic doctors, prosecutors, judges and healthcare professionals working with persons deprived of their liberty, at both the federal and provincial levels.**

### **Redress**

40. The Committee notes the measures taken by the State Party to ensure direct assistance and support for victims of State terrorism and their families, through the Dr. Fernando Ulloa Centre for Victims of Human Rights Violations, and the information on judicial cases that are at the investigation stage, trials and the many cases processed in accordance with current laws on redress. The Committee takes note of the delegation's explanations that the Armed Forces Archives are fully operational but is dismayed by the dismantling of teams and programmes responsible for researching and analysing existing documents and archives on Armed Forces activities during the dictatorship and by the budget cuts to a number of institutions working on matters of memory, truth and justice. Furthermore, the Committee regrets that the State Party did not provide complete information on the rehabilitation programmes available to victims of torture and ill-treatment in contexts other than transitional justice, the number of applications for compensation submitted, the compensation awarded by the national courts or the means of comprehensive redress provided to victims (art. 14).

41. **In line with the Committee's previous recommendation,<sup>14</sup> the State Party should continue its efforts to investigate all complaints of crimes against humanity, including those involving torture and enforced disappearance committed during the last civil-military dictatorship, allocate the requisite resources to this end, ensure the preservation of and access to strategic archives for judicial investigations and historical research and continue providing comprehensive redress to victims and/or their relatives, in keeping with the Convention.<sup>15</sup> The State Party should also ensure, in law and in practice, that all victims of torture and ill-treatment can obtain redress, and provide the Committee and other relevant bodies with information on measures of**

<sup>14</sup> CAT/C/ARG/CO/5-6, para. 38.

<sup>15</sup> See general comment No. 3 (2012) on the implementation of article 14.

**redress, including rehabilitation, ordered by the courts or other State bodies for victims of torture or ill-treatment.**

#### **Mental health system and “therapeutic community” centres**

42. The Committee takes note of the Mental Health Act (No. 26.657) and the National Mental Health Plan 2023–2027 but is concerned about reports of setbacks in their implementation and budget cuts that have affected many mental health and addiction programmes since 2023. It also notes with concern the lack of effective provincial oversight of the so-called therapeutic communities and private clinics providing services to persons with substance and drug abuse problems and persons with mental illness. In this connection, it notes that complaints have been lodged against these establishments for involuntary committal, overmedication, seclusion, use of mechanical restraints and other abusive practices (arts. 2, 11 and 16).

43. **The Committee recommends that the State Party take the measures necessary to promote mental health and addiction prevention programmes, including the allocation of the requisite resources, prioritizing community-based social, outpatient and health services as an alternative to institutionalization for persons with disabilities and drug users. In addition, the State Party should exercise due diligence in the oversight and regulation of therapeutic community centres. In this regard, the State Party should ensure that their operations are in line with international human rights standards, promote prevention, intervention and assistance measures and treatment programmes, as recommended by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,<sup>16</sup> and consult the International Guidelines on Human Rights and Drug Policy.<sup>17</sup>**

#### **Trafficking in persons**

44. The Committee is concerned that, despite the State Party’s concerted efforts to combat trafficking in persons, the number of convictions for this offence remains low in relation to the prevalence of cases in the country. The Committee is also concerned that trans persons are especially vulnerable to sexual exploitation and that investigations do not include a sufficient gender perspective (arts. 2, 12, 13 and 16).

45. **The State Party should continue its efforts to prevent and combat trafficking in persons, as well as investigate, prosecute and punish trafficking and related offences, systematically incorporating a gender perspective in these investigations.**

#### **Follow-up procedure**

46. The Committee requests the State Party to provide, by 28 November 2026, information on follow-up to the Committee’s recommendations on prolonged detention in police facilities, the National System for the Prevention of Torture, excessive use of force in the context of protests, and the investigation of claims of torture and ill-treatment and impunity (see paras. 13 (a), 15, 19 (a) and 23 (a) above). In that context, the State Party is invited to inform the Committee about its plans for implementing, within the coming reporting period, the remaining recommendations in the concluding observations.

#### **Other issues**

47. The State Party is requested to widely disseminate the report submitted to the Committee and the present concluding observations, in appropriate languages, through official websites, the media and non-governmental organizations and to inform the Committee about its dissemination activities.

48. The Committee requests the State Party to submit its next periodic report, which will be its eighth, by 28 November 2029. For that purpose, and in view of the fact that the State Party has agreed to report to the Committee under the simplified reporting procedure, the

<sup>16</sup> [CAT/C/82/2](#), para. 44.

<sup>17</sup> See Human Rights Council resolution 52/24.

Committee will, in due course, transmit to the State Party a list of issues prior to reporting. The State Party's replies to that list of issues will constitute its eighth periodic report under article 19 of the Convention.

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