



SILENCE IS NOT AN OPTION: REPRESSION AND IMPUNITY IN JUJUY

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Amnistía Internacional

EXECUTIVE SUMMARY

Between June and August 2023, social protests and repression in the Argentine province of Jujuy drew national and international attention. Numerous protests were held throughout the province to demand spaces for participation and debate about regressive reforms to the province's constitution that affected the human rights of Indigenous peoples, the rights to freedom of peaceful assembly and freedom of expression, and the right to a healthy environment, among other issues.

Thousands of people – from Indigenous communities, civil society organizations and Jujuy in general – took to the streets to reject the proposed constitutional text and protest the lack of processes for participation and free, prior and informed consent. The constitutional reform was ultimately approved on 20 June 2023, and the protests continued until August of that year. Afterward, some road blockades and encampments beside highways in protest of the reform persisted.

The state responded to this grassroots mobilization with repression and by criminalizing protest. Instead of fulfilling its duty to guarantee the right to protest, an essential way to assert rights amid the exclusion and structural discrimination in the province with the highest percentage of Indigenous population in Argentina, **the state turned its back on the legitimate grievances of a large part of the population, perpetrated violence, and sowed fear and intimidation among those who spoke out.**

In September 2023, an Amnesty International research team travelled to the Province of Jujuy to meet with authorities and interview social organizations, human rights defenders, victims and witnesses of excessive use of force by the police, and Indigenous communities affected by the constitutional reform. The delegation visited San Salvador de Jujuy and the towns of Humahuaca, Huancar, Salinas Grandes and Purmamarca.

During this mission, Amnesty International collected accounts from 111 people who had witnessed the events and actions firsthand. Of these interviewees, 90% were Indigenous, at least 91 had participated directly in the protests and witnessed the events reported, and at least five were relatives of victims. The delegation also met with authorities from the Ministry of Security and with the provincial attorney general at the Public Prosecutor's Office in the city of San Salvador de Jujuy. Amnesty International also submitted various requests for access to public information to different authorities, and its digital verification team collected over 50 video and/or photographic records to analyse the events and police officers' use of force.

This report shares the main findings of this investigation into the conduct of the authorities and police in the Province of Jujuy, especially regarding **violations of international human rights laws and standards in the state's response to the grassroots protest.** These findings include:

1. A LACK OF FREE, PRIOR AND INFORMED CONSENT DURING THE REFORM PROCESS

In the months before the constitutional reform debate, numerous Indigenous communities throughout the province submitted letters and other written communications to the different blocks of the Constitutional Convention to ensure that they were consulted to obtain the required free, prior and informed consent.

However, as documented by Amnesty International, the state failed to guarantee them these consultations. Although the governor of the Province of Jujuy stated that “more than 150 communities” had been consulted, communities stated in several interviews with Amnesty International that they had not been summoned to any process.

2. VIOLATION OF THE RIGHT TO PEACEFUL ASSEMBLY IN JUJUY AND ILLEGITIMATE DISPERSAL OF ROAD BLOCKADES

Amnesty International verified that the main aim of the provincial authorities and security forces when intervening in the demonstrations was to silence social protest by forcing people off of roadways and out

of public spaces and by using force in illegitimate, arbitrary and excessive ways. It also used arbitrary detentions, an absence of accountability mechanisms, and a strategy of criminalization, with the intent of discouraging protest and intimidating those legitimately exercising their right to protest.

In particular, Amnesty International found that security forces illegitimately broke up road blockades and other expressions of peaceful protest, in some cases by force. Evidence shows that in the distinct demonstrations in June 2023 – such as those in Purmamarca on June 17, in San Salvador on 20 June, and in Humahuaca on 30 June – the atmosphere was peaceful, sometimes involving music and dance, until the police began to use force to break up the protest.

3. ILLEGITIMATE, ARBITRARY, AND EXCESSIVE USE OF FORCE

Amnesty International documented that security forces used force with the clear aim of dispersing the peaceful protest supporting the rights of Indigenous peoples, without a justification considered legitimate under international standards. Likewise, the security forces in charge of maintaining public order at the demonstrations on many occasions used weapons not fit for that purpose and failed to use force in a way that was discerning or sought to minimize damage and injuries to participants.

In particular, the organization documented the illegitimate use of tear gas and rubber bullets, including multiple kinetic impact projectiles that should be prohibited entirely under human rights standards. Amnesty International also recorded the use of unregulated weapons, such as slingshots, stones, and whips, often by unidentified officials who had infiltrated the protest.

This response left hundreds of people injured, some severely and permanently. During the most intense days of state violence, at least 170 people were injured. At least ten suffered eye or facial injuries, and three lost vision in one eye. The repression particularly affected members of Indigenous peoples, who are especially impacted by the constitutional reform and have historically been excluded and discriminated against.

4. LACK OF ASSISTANCE AND MEDICAL SERVICES FOR VICTIMS

Many of the people interviewed by Amnesty International were injured by security forces during the demonstrations. In some cases, they suffered permanent eye trauma. Many of them said that after being injured at a demonstration, they received no immediate and timely medical assistance. In some cases, they reported that the ambulances were overwhelmed and that they had to find their way to health centres on their own. Finally, some of those injured during the repression related that the staff at the province's health centres were reluctant to give them medical care, or even denied them care altogether.

5. ARBITRARY DETENTION, CRIMINALIZATION, AND CRUEL, INHUMAN AND DEGRADING TREATMENT

The provincial security forces' repressive response to the demonstrations in the Province of Jujuy was complemented by a strategy of criminalization.

During demonstrations in Jujuy, 99 arrests were documented. Evidence analysed by Amnesty International revealed that the police carried out various collective and indiscriminate arrests during the social demonstrations on 17 June in Purmamarca and 20 June in San Salvador de Jujuy, in an attempt to suppress the legitimate exercise of the right to protest. In addition, Amnesty International found that the police authorities used unlawful force in making arrests, beating protesters and subjecting them to cruel, inhuman and degrading treatment.

At least 86 people were charged with crimes and, as of the publication of this report, were still under investigation for offenses often used to criminalize protest, such as resisting law enforcement, impeding

traffic, and sedition. Amnesty International also found widespread use of the Provincial Misdemeanour Code to intimidate and unjustifiably punish protesters. The organization documented at least 82 proceedings against the protesters for offenses under this code. In many cases, they were charged with crimes for participating in the protests and at the same time were cited for misdemeanours in a separate justice system by the Ministry of Security of the Province of Jujuy. In other words, they are being prosecuted in both criminal and administrative proceedings for charges and offenses stemming from the same act.

6. LACK OF ACCOUNTABILITY IN POLICE CONDUCT

Today, almost two years after the documented events Amnesty International was able to verify that virtually no real progress had been made toward achieving accountability for these human rights violations, and there have been no answers about the conduct of the police forces of the Province of Jujuy during the protests or about the investigations to criminalize protesters. No official or authority has been sanctioned for the human rights violations committed during the repression, and the victims are still waiting for justice.

RECOMMENDATIONS

Based on these findings, Amnesty International submits urgent and detailed appeals to the authorities of the legislative, executive and judicial branches of Jujuy.

A key appeal is to provide channels for potentially reforming the current constitution through broad, participatory and effective consultation, guaranteeing a process that obtains the free, prior and informed consent of Indigenous peoples and includes a human rights perspective.

Specifically, Amnesty International urges legislators and provincial authorities to guarantee the right to peaceful protest in both the Constitution and the Misdemeanour Code, especially respect for the principle of non-discrimination against Indigenous peoples' traditional forms of protest.

The right to freedom of demonstration should also be protected by provincial security forces before, during and after protests. This duty requires, among other practices, that the Ministry of Security expressly prohibit and sanction, with disciplinary measures, the use of weapons and ammunition that are unregulated or violate international standards for the use of force, such as multiple impact rubber bullets, slingshots, and whips.

Likewise, the Public Prosecutor's Office, the judiciary and the misdemeanour justice system must refrain from criminalizing those who legitimately exercise the right to demonstrate peacefully and guarantee justice and comprehensive and immediate reparation to the victims of human rights violations, in proportion to the gravity of the violations and damages suffered.

Finally, they must immediately ensure accountability for all acts of police abuse in the 2023 demonstrations, starting with an urgent, rigorous and effective investigation to determine who is responsible for the crimes in each specific case and identify all others implicated in the abusive acts, including officials in the chain of command who were complicit in them.

1. METHODOLOGY

In September 2023,¹ an Amnesty International research team travelled to the Province of Jujuy and met with different authorities, legal representatives, victims and witnesses of the police's illegitimate, arbitrary and excessive use of force, as well as with members of Indigenous peoples affected by the constitutional reform.

The organization interviewed 111 people, of whom 63 were women, 46 were men, and two were anonymous (people who requested that none of their information be recorded). Additionally, 90% of them belonged to Indigenous peoples, at least 90 had participated directly in the protests and witnessed the events, and at least five were relatives of victims of the repression of the protests.

On 25 and 26 September, the delegation was in the provincial capital of San Salvador de Jujuy and met with authorities from the Ministry of Security and with the provincial attorney general heading the Public Prosecutor's Office. The delegation also requested a meeting with the Human Rights Secretariat of Jujuy, but it could not be coordinated.² On these dates, the delegation also met with people who participated in the protests, many of whom were victims of excessive and arbitrary use of force, as well as with the lawyers of these and other victims of human rights violations during the protests and representatives from local human rights organizations.

Then, on 27 September, the delegation travelled to the town of Humahuaca, where they interviewed 34 people, mostly from the communities of Abra Pampa, Cochinocha and Humahuaca. On 28 September, the delegation was in Huancar – Department of Susques – and Salinas Grandes, interviewing a total of 37 people. On 29 September, the Amnesty International team was in the city of Purmamarca and interviewed 15 residents of Purmamarca and nearby towns such as Tilcara.

Meanwhile, Amnesty International submitted several requests for access to public information to different authorities.³

Amnesty International collected information and eyewitness accounts about human rights violations during the demonstrations. Several people spoke to the organization on the condition of anonymity, so this report uses pseudonyms in referring to some interviewees to ensure confidentiality. These pseudonyms are placed in quotes (“”).

In several cases documented in this report, Amnesty International had access to images of the events. In addition, the organization's digital verification team collected over 50 video and/or photographic records to analyse police officers' use of force. Most of the material analysed was recorded in Purmamarca and San Salvador de Jujuy from 17 to 20 June 2023.

¹ The Amnesty International delegation was present in different locations in the Province of Jujuy from 24 to 29 September 2023. The organization published its preliminary findings in a press release: Amnesty International, “Argentina: Violent repression and criminalization in response to protests in Jujuy”, 5 October 2023, <https://www.amnesty.org/en/latest/news/2023/10/argentina-repression-criminalization-protests-jujuy/>

² Due to scheduling conflicts, it was not possible to schedule an in-person meeting during the mission, so a virtual meeting request was resubmitted in October 2023. As of the publication of this report, it had not been granted.

³ In October and November 2023, Amnesty International sent requests for access to public information to the following bodies: Public Prosecutor's Office of Jujuy; Jujuy Ombudsman's Office; Provincial Committee for the Prevention of Torture and Ministry of Security of the Province of Jujuy. The Public Prosecutor's Office, the Provincial Committee for the Prevention of Torture and the Ministry of Security of the Province of Jujuy responded to these requests by sending part of the requested information. Then in March 2024, Amnesty International sent a request for public information to the Legislature of the Province of Jujuy but has received no response. In December 2024, it submitted a request for public information to the Ministry of Health of the Province of Jujuy, which responded with part of the information requested. Then, in January 2025, it sent another request for public information to the Ministry of Security of the Province of Jujuy, which responded with part of the requested information. In February 2025, Amnesty International requested public information from the Public Prosecutor's Office and the Secretariat of Indigenous Peoples of the Province of Jujuy but has received no reply as of the publication of this report. In April 2025, it sent a new request for public information to the Ministry of Security of the Province of Jujuy.



The organization has continued to collect information on documented cases and monitor judicial processes by communicating with lawyers and victims and submitting public information requests. As part of its response to these events, in 2024, Amnesty International launched a global solidarity action within the “Write for Rights” campaign for the case of Joel Paredes⁴, who lost vision in one eye due from being struck by a rubber bullet and whose judicial investigation has made almost no progress, as described further on.

On 30 April 2025, Amnesty International submitted the findings it had documented to the authorities of Jujuy⁵ for their comments or observations. As of the publication of this report, it had received no response.

⁴ Amnesty International, Write for Rights Campaign 2024: Joel Paredes case, 2024, <https://amnistia.org.ar/escribeporlosderechos/p/41/joel-paredes>

⁵ The findings were sent to the governor of the province, the Ministry of Security, the provincial attorney general at the Public Prosecutor’s Office, and the secretary of Indigenous peoples.

9. CONCLUSIONS AND RECOMMENDATIONS

In June and July 2023, the State of Jujuy made illicit use of force through its police and security forces. It wrongfully used its criminal and misdemeanour laws to silence the voices of the predominately Indigenous people who took to the streets in different places in the province to protest against a constitution that was approved without consulting the provinces' Indigenous peoples and obtaining their free, prior and informed consent, thus blatantly violating their human rights.

Instead of fulfilling its obligation to guarantee the rights to freedom of expression, assembly and association, which constitute a legitimate and essential way to assert rights amid exclusion and structural discrimination in the province with the highest percentage of Indigenous population in Argentina, the state turned its back on the legitimate grievances of a large part of the population, perpetrated violence, and sowed fear and intimidation among those who spoke out.

As of the publication of this report, the authorities have provided no precise figure for the total number of people injured in the demonstrations. Of the 111 people interviewed by Amnesty International, 22 people were injured or were with family or friends who were injured, some severely and permanently (including two people who suffered severe and permanent vision loss), 11 people had been detained, many arbitrarily (including a minor who was injured), and at least 12 people had been charged with misdemeanours for their participation in the demonstrations.

The state's repressive apparatus was deployed in a completely illegitimate and excessive way against people who were demonstrating peacefully. They used weapons that, due to their indiscriminate effect and potential to cause harm, should be prohibited under international standards on the use of force. The abusive use of force and serious injuries were being publicly reported during the protests, and the authorities charged with managing the security forces did nothing to prevent this excess, which could mean they are implicated or accepted the harm they could cause.

Despite comprehensive evidence of the massive human rights violations that astonished the country and the world, almost two years after these events, the state has brought none of the people responsible for these repressive acts to justice or disciplined any of them, nor has it signalled a clear intention to do so. On the contrary, the authorities and police officers who violently punished the protesters in Jujuy continue to be in charge of the province's security.

Therefore, Amnesty International recommends:

TO THE JUJUY LEGISLATURE:

1. Provide channels for potentially reforming the 2023 Constitution of the Province of Jujuy through a broad, participatory and effective consultation, ensuring that the free, prior and informed consent of Indigenous peoples is received.
2. In the reform, ensure that that the Constitution upholds human rights, especially the rights to freedom of peaceful assembly and freedom of expression; the right to a clean, healthy and sustainable environment; the right to water; the rights of Indigenous peoples to cultural identity and to not be subject to any type of discrimination; and the right to be consulted to obtain free, prior and informed consent.
3. Reform the Misdemeanour Code of the Province of Jujuy to ensure that it does not restrict the rights to freedom of assembly and expression. This includes repealing or amending Articles 112 and 113 so that these rules comply with the principle of legal clarity and the rights of freedom of expression and peaceful assembly, as well as the principle of non-discrimination regarding Indigenous peoples' traditional forms of protest.

TO THE EXECUTIVE BRANCH OF THE PROVINCE OF JUJUY, ESPECIALLY THE MINISTRY OF SECURITY OF JUJUY

AND THE HUMAN RIGHTS SECRETARIAT:

1. Implement regulations for police conduct in protests with clear and specific criteria on the use of less-lethal weapons and that respect the principles of legality, necessity, proportionality, moderation, graduality and accountability, in line with the United Nations' Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. For this purpose, Amnesty International's Guidelines for Implementation of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials can also be a useful resource.⁶
2. Refrain from arbitrarily detaining peaceful protesters merely for exercising their rights to freedom of expression and peaceful assembly, without proof of their involvement in a crime.
3. Ensure that anyone who wants to demonstrate peacefully can do so without endangering their lives or physical safety.
4. Facilitate peaceful demonstrations and refrain from dispersing peaceful protesters. Dispersal should be a last resort.
5. Refrain from using force to discourage the legitimate exercise of the right to protest and ensure that the use of force is necessary and proportionate.
6. Ensure that law enforcement officers can be identified by badges bearing their name or number in all situations where they interact with the population.
7. Ensure that operations related to social protests by design keep detailed records of orders, participating officers, respective responsibilities and actions for both prevention purposes and to subsequently evaluate the actions taken and enable effective accountability in judicial and administrative investigations into any allegations of abuse of force.
8. Immediately after resorting to the use of force, ensure those who have been injured or otherwise affected are given health care, that they receive medical or other assistance and that their family and/or friends are informed.
9. Establish a strong accountability process for any allegations of excessive use of force, as established by the United Nations Principles. This includes taking all necessary and sufficient investigatory and disciplinary measures to determine who is responsible. These measures should include *ex officio* internal investigations in serious cases such as death, serious injury, torture or other cruel, inhuman and degrading treatment, regardless of whether the affected persons have filed a complaint.
10. Investigate any unlawful, arbitrary, or excessive use of force during the protests in Jujuy in 2023 and take appropriate disciplinary measures.
11. Instruct and train security forces at all ranks on how to respond to protests in accordance with international human rights standards. This response should focus on facilitation, dialogue and de-escalating tension, establishing the use of force and of less lethal weapons as a last resort, with a clear obligation to minimize damage.
12. Eliminate and prohibit the use of multiple kinetic impact projectiles by security forces, in line with international human rights standards on the use of force.

⁶ Amnesty International, *Guidelines for Implementation of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, 2015,

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13. Ensure that kinetic projectiles are fired carefully only against people perpetrating serious violence against others, from a sufficient distance and with warning, below the waist to prevent excessive injury, and only when there is no less harmful way to stop the threat.
 14. Prohibit and take appropriate disciplinary action against any use of weapons not officially regulated for law enforcement, such as stones, slingshots or whips.
 15. Establish policies to effectively respond to and care for victims of police violence and human rights violations. The response and care must be proportional to the gravity of the violations and the damages suffered. This reparation should include comprehensive medical care and ongoing rehabilitation, specialized psychological care, and other measures to protect the rights to education and work. Comprehensive reparation must be immediate, even if the investigations into the facts have not been completed or those responsible have not been brought to justice.
 16. Ensure that the Indigenous peoples of Jujuy are consulted in all cases where they are affected by a specific law, policy or development project, or regarding decisions that overlap with Indigenous peoples' jurisdiction under their right to self-government, in order to obtain their free, prior and informed consent.

TO THE PUBLIC PROSECUTOR'S OFFICE:

1. Promote any actions to investigate police abuse in the demonstrations, urging the different prosecutorial offices involved to conduct an urgent, rigorous, and effective investigation. The investigations must seek to determine the specific perpetrators of the crimes in each specific case, while identifying all others implicated in the abusive acts, including officials in the chain of command who were complicit in them.
2. Promote training for Offices for the Prosecution of Institutional Violence, specifically the Prosecutorial Office for Criminal Policy of the Public Prosecutor's Office, to advance criminal proceedings to investigate illegal practices by police officers and public officials during the demonstrations.
3. Refrain from criminalizing people who are legitimately exercising their right to demonstrate peacefully. When criminal law is used to punish non-peaceful protesters who commit crimes, this process must respect fair trial standards. Disproportionate charges or the use of legally ambiguous criminal provisions must be avoided in all cases.
4. Ensure the effective participation of victims and their families in investigative proceedings, with a focus on human rights, cultural diversity and protecting the rights of Indigenous peoples.

TO THE JUDICIARY OF THE PROVINCE OF JUJUY:

1. Refrain from criminalizing those who legitimately exercise the right to demonstrate peacefully, in compliance with international human rights laws and standards.
2. Guarantee justice and comprehensive reparation to victims of human rights violations. This reparation must be proportional to the gravity of the violations and damages suffered and include monetary compensation, comprehensive medical care and ongoing rehabilitation, specialized psychological care, and other measures to protect the rights to education and work. Comprehensive reparation must be immediate, even if the investigations into the facts have not been completed or those responsible have not been brought to justice.

TO THE MISDEMEANOUR JUSTICE SYSTEM:

1. Refrain from criminalizing and punishing those who legitimately exercise the right to demonstrate peacefully, in compliance with international human rights laws and standards.

TO HUMAN RIGHTS INSTITUTIONS:

1. For human rights organizations, such as the Ombudsman's Office of the Province of Jujuy and the Provincial Committee for the Prevention of Torture, create a record with the information from each protest, especially protesters injured in the demonstrations (specifying their job/occupation where applicable), to find common patterns and types of police conduct.
 2. Create a protest monitoring mechanism to verify compliance with international standards on the use of force in protests.
 3. Appear in court cases investigating excessive use of force by law enforcement officials during demonstrations.
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info@amnesty.org



+44 (0)20 7413 5500

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