



# State terrorism and memory, truth, and justice policies six months into the government of Javier Milei

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Six months into its administration, Javier Milei's government has dismantled—either wholly or partially—key policies crucial to the process of memory, truth, and justice. The survey of archives from the Armed Forces and the audio-visual record of trials for crimes against humanity are two examples. Other policies, such as reparations, were either suspended or weakened, including those related to the preservation and operation of memorial sites.

The policy of memory, truth, and justice is affected by a combination of general budget cuts and the defunding and/or hollowing out of structures. In March, 18 workers from the National Human Rights Secretariat were dismissed. The government reinstated them under extremely precarious conditions with quarterly contracts.

This is compounded by the repeated statements given by senior government officials characterizing the justice process as an act of harassment and humiliation toward the armed forces, memory and human rights education policies as indoctrination, reparation policies as a “scam” run by human rights organizations and the victims' collective, and the policies for the surveying of Armed Forces archives as a “para-state action.” The new government holds revisionist and denialist positions regarding crimes against humanity committed by the Armed Forces during the last dictatorship. These positions represent a major setback in the social, political, and institutional construction symbolized by Never Again (*Nunca Más*) for democracy, a common ground of agreement and coexistence to which all previous administrations, the three branches of government, and the Public Prosecutor's Office of the Nation committed.

Here, we analyze the impact on key public policies in this area, which during democracy have been: the prosecution and punishment of those responsible for mass crimes committed during the last dictatorship, the survey and declassification of archives from the Armed Forces and security forces, the inclusion in the educational curriculum of critical study of state terrorism, reparations for victims, the search for babies and children appropriated during the last dictatorship, and the recovery of sites linked to repression for their re-signification as spaces for memory.

## 1

## **Trials for crimes against humanity and state archives**

According to the Public Prosecutor's Office of the Nation, as of March of this year, 686 cases of crimes against humanity had been initiated throughout the country. Of that total, 321 have resulted in sentences, condemning 1176 individuals, including military personnel, police officers, and civilians, while 183 have been acquitted. Since 2007, the National Executive Branch has intervened as a plaintiff in 266 of these cases through the Secretariat of Human Rights. Although the current Ministry of Justice has affirmed its role in these legal proceedings, this commendable decision coexists with resolutions and statements from the new government aimed at undermining the justice process.

The Ministry of Defense terminated the work of the Documentary Review and Analysis Team of the Armed Forces archives (ERyA for its acronym in Spanish), created in March 2010 (Resolution 308/2010). This team reconstructed key information from archival work and contributed to the justice process by providing documentation that revealed the structures and chains of command of the repressive system, as well as identifying military personnel involved in illegal actions. The current Minister of Defense labeled the team as "a group based on persecution and McCarthyism" and questioned its legality by describing it as "extrajudicial." With these arguments, he terminated the employment of 10 of the

13 military archive experts and reassigned the remaining three from their duties. The Ministry did not clarify how it will respond to future information requests from judges and prosecutors handled by this team, nor did it outline how it will preserve the reports and documentary annexes produced by the team. Despite the explicit support that the team received from judicial officials, prosecuting attorneys, and human rights organizations, the authorities have stood by their decision, even threatening legal action against its members.

Moreover, the Minister of Security of the Nation, Patricia Bullrich, and her Chief of Staff, Carlos Manfroni, refused to respond to requests for information from the archives of the institutions and security forces submitted by the National Commission for the Right to Identity (CONADI). This organization was created in 1992 within the Executive Branch and specializes in the search for children who disappeared during the last military dictatorship. Bullrich and her Chief of Staff questioned CONADI's authority to request information about the forces' personnel, deeming it confidential. They made their refusal public in a statement whose title refers to "the political whims of a militant organization," echoing the repeated remarks from high-ranking government officials against human rights organizations, in general, and Estela de Carlotto, head of the Grandmothers of Plaza de Mayo, a frequent target of harassment.

The government also dismantled the Collective Memory and Social Inclusion Program (MECIS) under the National Institute of Cinema and Audiovisual Arts (INCAA), which filmed the hearings in trials for crimes against humanity throughout the country. By dismissing six out of the seven audiovisual workers who performed their duties in federal courts, it becomes impossible to maintain the record. MECIS emerged from a Supreme Court decision in 2008 on trial publicity. In 2009, through an agreement, the highest court entrusted INCAA with providing the technical resources to record, digitize, and deliver copies of the oral and public hearings to the respective courts (Ruling 29/2008 - Agreement and Resolution 4248/09 CSJN). In 2015, the program was declared of cultural interest by the Honorable Chamber of Deputies of the Nation for having compiled a unique archive on the justice process with nearly 300 complete recordings of the hearings. The discontinuation of this work is an administrative decision by the current President of INCAA, Carlos Luis Pirovano, which violates the agreement with the Supreme Court, without consulting the higher court or the Federal Criminal Appeals Court.

The Federal Intelligence Agency (AFI) discontinued the Joint Table on Intelligence Documentation Related to Human Rights Violations, created through Resolution 467/2021 and composed of human rights organizations. This table aimed to promote access to information regarding the role of intelligence agencies in serious human rights violations committed during the last dictatorship, as a contribution to the memory, truth, and justice process.

Lastly, the government has yet to name a new National Directorate under the Secretariat of Human Rights of the Nation, tasked with coordinating the work of the National Memory Archive, responsible for safeguarding the Conadep archive among other critical documentation, a position that remains unfilled.

The interruption of these public policies occurs within the context of repeated statements by the President of the Nation, the Vice President, and various ministers against the justice process and in favor of the actions of the Armed Forces. President Milei praised the pardons of former President Carlos Menem as a constitutional tool for reconciliation, omitting that they were declared unconstitutional by the Supreme Court of Justice of the Nation in 2007. Meanwhile, Vice President Victoria Villaruel, historically linked to activism in defense of military personnel involved in crimes against humanity, asserts that a “legal solution” is needed for investigated and convicted military personnel.



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DIRECCION GENERAL DEL PERSONAL

FSA (24)  
Fotos (2)  
LEG MEDICO (22)  
ACTUACIONES (11)

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## 2

## Memory Sites

Argentina led the region by enacting a law to preserve, mark, and disseminate Memory Sites (Law 26,691/2011). The Secretariat of Human Rights of the Nation oversees the implementation of this law. It involves marking places that served as clandestine detention, torture, and extermination centers, as well as providing assistance to memory spaces through educational, cultural, artistic, and research activities aimed at promoting human rights. There are 40 memory spaces in the country, nine of which depend on the national government. The position of National Sites Director remains unfilled. Planned infrastructure projects at the sites and/or spaces have been completely suspended. Some of the dismissals in the Secretariat of Human Rights mentioned above affected memory site workers who were already understaffed. If confirmed, these dismissals would have led to closures.

The most iconic among these reclaimed spaces, nationally, regionally, and internationally, is the Navy Mechanics School (ESMA). Since 2004, it has been reimagined as the Memory and Human Rights Space Former ESMA, serving as a platform for denouncing state terrorism and preserving memory. It houses the ESMA Memory Site Museum, recognized as a National Historic Monument, Cultural Heritage of MERCOSUR, and UNESCO World Heritage Site. On May 17, a group of non-commissioned officers from the 78th promotion organized a tour of the premises to celebrate Navy Day. The event included chanting the Navy march and praising ESMA at two emblematic locations within the

premises. They also took selfies with one of the planes used in the death flights, repatriated in 2023, currently on display. Visitors shared the images on social media with explicit messages, emphasizing the act as reclaiming a “usurped space.” Responding to the CELS’ public request for explanations, the Minister of Defense of the Nation, Luis Petri, downplayed the incident, seemingly overlooking the significance of choosing a former concentration camp as a venue for celebration, and instead, focused on praising the Navy: “They are Argentines who sang the march of the Argentine Navy on Navy Day, around a mast with the Argentine flag.”



**The government labels the efforts of memory sites as indoctrination, while top officials employ standard arguments from the denialist and relativist playbook.**

In the past month, the Former ESMA Space received other similar visits. The recurrence of these events, which revindicate state terrorism and are reinforced with social media messages, takes place in a space reclaimed by the community to affirm its rejection of dictatorship crimes. The presence of military and security forces on the Former ESMA premises had not been an issue over the years. In fact, it has been facilitated through some specific projects, always based on recognition and condemnation of past actions.

Lastly, the educational work tied to the experience of state terrorism, conducted in memory sites and by educators in schools, is now labeled by the government as “indoctrination” and dismissed as a vehicle for distorted or malicious narratives. This occurs concurrently with the recurring use by high-ranking officials of a wide array of arguments typical of denialist or relativist rhetoric: disputing victim figures, denying the systematic nature of the crimes, downplaying or denying the severity of the offenses committed, justifying state violence, dehumanizing the victims, and discrediting social actors involved in the fights for memory, truth, and justice.





ESMA Memory Site Museum. Space known as "Capuchita" where the Naval Intelligence Service corralled and tortured detained-disappeared individuals.

Photo by Malena Cagna

## 3

## Reparations policy

In the 1990s, Argentina initiated a policy of economic reparations for victims of state terrorism, in compliance with international obligations and a friendly settlement in the Inter-American Commission (Report 1/1993). The initial laws covered political prisoners and relatives of detainees who disappeared or were killed by state terrorism. This policy was continued, maintained, and expanded across successive governments. Its management is inter-jurisdictional: the guidelines are outlined in national laws enacted between 1991 and 2013; administrative oversight falls under the Secretariat of Human Rights of the Nation and involves other national and provincial agencies for information verification; and lastly, it involves the Judiciary, which ratified and broadened the scope of these benefits through its interventions.

This policy has been regularly evaluated by the Internal Audit Unit of the Ministry of Justice and Human Rights of the Nation and by the General Audit Office of the Nation. During the previous administration, the government identified and denounced in the courts irregularities in several dozen files. Now, the minister in charge, Mariano Cúneo Libarona, has ordered a comprehensive audit of all pending reparation requests, which would encompass 22,500 files. The Ministry announced that “payments will be halted” while this audit is ongoing, with a





March for the National Day of Memory  
for Truth and Justice held on March 24, 2024.  
Photo by CELS

deadline of 180 business days. Although audits are a regular and appropriate oversight mechanism, in this case, it occurs in a context where authorities cast suspicion on the entire public policy. In statements to the press, Cúneo Libarona stated that there is “a festival of payments, of creating structures to generate state money,” which was underscored in various ways by the Vice President of the Nation, who endorsed the ministerial decision on her X social media account: “I said it during the campaign, we must review the exorbitant compensations given in the name of human rights. Audit the human rights scam that serves political purposes,” and by the President himself, who recently claimed that the figure of 30,000 disappeared persons was “fabricated at a desk to collect subsidies.”

There is a prevailing consensus within the national cabinet to 'leave the past behind.' While some acknowledge the illegal actions of the armed forces, others ignore them, and still others go so far as to venerate them. This veneration can be explicit, as in the case of the Vice President of the Nation, who declared on Army Day that she felt "proud to be the daughter of a military man who wore the uniform of the Motherland and defended it against the terrorists of the ERP," referring to her father's involvement in state terrorism. It can also take the form of social and political reproach against those who may have been "harassing and humiliating our forces," as stated by the President of the Nation. Along the same lines, the Minister of Defense, Luis Petri, said that "some leaders demonized the Armed Forces that acted in the 1970s," while his current Secretary of Strategy and Military Affairs, retired Lieutenant General Claudio Pasqualini, denounced that "there are organizations seeking to complicate the functioning of the country, which also aim to weaken the Armed Forces, receiving funding from abroad to attack the military."

The new government fosters a culture of disdain toward the process of memory, truth, and justice, simultaneously disregarding the lessons learned in recent decades and stigmatizing the actors who have propelled it forward. As a society, this paradigm shift seeks to position us in opposition to what we have built since the restoration of democracy in 1983, under various administrations and with the commitment of all branches of government.



## Measures and actions regarding memory, truth, and justice in the first six months of the La Libertad Avanza government

- Dismantling of the Archive Survey and Analysis Team of the Armed Forces, which provided evidence for trials, along with threats of criminal prosecution against its workers.
- Disbandment of the filming team for trials of crimes against humanity (Collective Memory and Social Inclusion Program), established by an agreement between the Supreme Court of Justice of the Nation and the National Institute of Cinema and Audiovisual Arts (INCAA).
- Interruption of the Joint Table on intelligence documentation related to human rights violations, established by Resolution 467/2021 at the Federal Intelligence Agency.
- Lack of appointments in key positions such as the directorship of the National Memory Archive, responsible for safeguarding the Conadep archive, and the National Sites of Memory Directorate.
- Defunding of memory sites nationwide, labor precariousness of the teams, and interruption of works.
- Temporal delay of the economic reparations policy and widespread denunciations aiming to unjustifiably extend suspicion of corruption to the entire public policy.
- Refusal to provide information to the National Commission for the Right to Identity in cases to locate appropriated children.
- Labeling of pedagogical contents on the last dictatorship taught in schools and memory sites as “indoctrination actions.”

- Sponsorship of vindictory acts of the dictatorship convened at the former concentration camp and current Memory and Human Rights Space Ex ESMA, and in military venues.
- Emphasis on denialist and vindictory arguments in the discourse of the government's top officials:
  - Denial of the systematic nature of the crimes
  - Minimization or disregard for the serious crimes committed
  - Justification of state violence
  - Dehumanization of the victims
  - Declarations in favor of the impunity of the perpetrators
- Constant harassment and personal disqualification of human rights organizations and their members



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