

Defending democracy through legal action in Argentina: Evaluation of Centro de Estudios Legales y Sociales

Contents

Executive summary	3
What problem does CELS address?	8
Background on CELS	9
CELS's strategic litigation track record	10
CELS's far-reaching networks and influence	13
CELS's work with transnational bodies	16
CELS's litigation and legal defence unit	18
Theory of change: Support CELS's work to advance Argentine democracy	19
Expected outcomes	20
Funding gap and use of funds	22
Risks and mitigation	26
Follow-up and learning plans	27
Conclusion and recommendation	29
References	30

Executive summary

Argentina's democracy is facing acute pressure under President Javier Milei. Since taking office in December 2023, his government has sought to expand the power of the executive, threatened judicial independence, suppressed dissent and the media, and rolled back fundamental rights. The Centro de Estudios Legales y Sociales (Center for Legal and Social Studies, or CELS) – an internationally recognised, award-winning civil society organisation that specialises in defending democracy through strategic legal action – has responded by filing court challenges and winning important victories that counter the Milei administration's authoritarian moves.

Founded in 1979 under Argentina's military dictatorship, CELS has over four decades of experience using legal action to strengthen democratic institutions and advance human rights. Its dedicated strategic litigation team is the largest amo ng peer organisations, managing approximately 150 cases in 2025 alone.



Title: Defending democracy through legal action in Argentina: Evaluation of Centro de Estudios Legales y Sociales Author: Cláudia Araújo PhD, Senior Research Fellow Published: November 2025 The team has an extensive track record of filing legal challenges that lead to rulings strengthening democracy: Since the beginning of Milei's tenure, it has worked on over 30 cases directly targeting authoritarian measures. CELS's litigation efforts have:

helped preserve judicial independence by filing a legal action arguing that two Supreme Court justice appointments via executive decree were unconstitutional protected civil liberties and fundamental freedoms of assembly and association through the filing of legal challenges to repressive protest protocols

challenged moves to give increased surveillance power to the security forces and intelligence services, upholding constitutional rights and ensuring oversight of these agencies

reinforced the right to access public information, advancing transparency in public administration and reinforcing democratic accountability

activated international oversight, resulting in formal interventions by both the United Nations and the Inter-American Commission on Human Rights (IACHR) that compelled the Argentine government to publicly account for rights violations related to restrictions on civil society



CELS ensures that government actions targeting activists and journalists and the rollback of Indigenous and equality rights are systematically challenged through the courts, reinforcing accountability and the rule of law. For example, it has represented journalists attacked by police forces while covering protests. It also provides legal advice and international advocacy support to Indigenous communities and continues to litigate crimes against humanity from the dictatorship era.

The effectiveness of CELS's litigation work lies in its integrated approach: combining legal action with rigorous research, investigative lawyering, public communication, coalition-building, and national and international advocacy. This includes its ability to engage with regional and global human rights mechanisms like the UN and inter-American systems in order to amplify domestic impact and ensure accountability beyond national borders.



22 October 2025: A visually-impaired man waits to give a speech at a demonstration in Buenos Aires near the National Ministry of Health to call for the enforcement of the Disability Emergency Law.

Credit Image: picture alliance / ZUMAPRESS.com | Delfina Corbera Pi

With this approach, CELS defends institutional checks and balances, enforces constitutional norms, and advances fundamental rights. Strategic litigation led by CELS thus not only safeguards individual liberties but also functions as a systemic barrier to authoritarianism, reinforcing the legal and civic infrastructure essential to liberal democratic governance.

Despite its strong track record, CELS's litigation and legal defence unit faces a funding gap that threatens its ability to sustain strategic litigation at a decisive moment for Argentina's democracy.

In the face of key presidential and parliamentary elections in 2027, a shortfall of approximately €280,000 for 2026–2027 puts the organisation's capacity to manage a growing litigation portfolio at risk just as authoritarian threats intensify. Additional support would cover core costs (strategic litigation unit staff, litigation expenses, supporting activities, and essential overheads), allowing CELS to sustain and expand cases.

Timely funding would ensure that CELS can continue to push back on the government's authoritarian measures through Argentina's judiciary and set democratic precedents with regional relevance.

'Strategic litigation led by CELS safeguards individual liberties and reinforces the legal and civic infrastructure essential to liberal democratic governance.'

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What problem does CELS address?

The Milei administration's anti-democratic moves since taking office in December 2023 have been wide-ranging. An omnibus decree, comprising 14 chapters and over 300 articles, introduced sweeping reforms across labour rights, economic regulation, civil rights, and public administration. Ten of the decree's chapters have been challenged in court,¹ and multiple provisions declared unconstitutional – particularly those targeting labour rights and the right to strike.²

Courts have also ruled against an amendment to a decree by Milei's government banning gender-affirming care for minors.³ Additionally, Milei's attempt to appoint Supreme Court justices by decree, bypassing Senate confirmation – a direct threat to judicial independence – was also challenged on the grounds of its unconstitutionality.⁴

These are among several measures under legal scrutiny, including an ongoing constitutional challenge targeting a decree restricting access to public information, which reclassified data as private to evade transparency obligations.⁵

In parallel, state repression has broadly escalated. According to Comision Provincial por la Memoria, half of all public demonstrations in the first six months of 2025 were met with police repression; 1,251 protesters were injured, equalling the total for all of 2024; and 130 arbitrary detentions were recorded, up from 93 in 2024.6

Attacks on press freedom have also intensified. Between January and September 2024, at least 47 journalists have been attacked while covering protests, global rights monitor Civicus reported,⁷ and Reporters Without Borders documented several more attacks by government forces in early 2025.⁸

Milei's government has also escalated other efforts to intimidate and delegitimise the press, including through strategic lawsuits against public participation (SLAPPs), verbal harassment, public insults, and hate speech.

President Milei and Vice-President Victoria Villarruel were identified by the monitoring group Foro de Periodismo Argentino (FOPEA) as responsible for a significant proportion of these types of attacks; in 2024, they registered their responsibility in 29 per cent of attacks, increasing to 36 per cent as of September 2025.9

These developments threaten Argentina's legacy as a regional human rights leader and may accelerate authoritarian trends in Latin America. The period from late 2025 to late 2027 will be decisive: with judicial independence intact but under strain, the courts remain a viable avenue for democratic defence. Strategic litigation offers enforceable, precedent-setting outcomes, making it a uniquely powerful tool at this juncture.

Background on CELS

Founded during Argentina's military dictatorship, CELS has grown into a nationally and internationally respected organisation with a mission to promote and protect human rights, strengthen democratic institutions, and advance social justice. In Argentina's current context of authoritarian regression, CELS represents a highly effective and tractable response to democratic backsliding.

The organisation works at the frontlines of democratic defence in Argentina, deploying strategic litigation, as well as advocacy and research, across intersecting thematic areas. These include defending civic space and democratic institutions, securing justice and accountability for state crimes, protecting vulnerable communities, and advancing socio-economic rights as democratic rights.

CELS's strategic litigation track record

- Blocking judicial capture. In 2025, CELS and its partners filed challenges to President Milei's Decree 137/2025, which sought to bypass Senate approval in appointing Supreme Court justices. Although the decree is under ongoing review, both appointments were ultimately not confirmed by the Senate and did not result in lasting membership on the court, protecting judicial independence and reinforcing the separation of powers.¹⁰
- Challenging protest repression. CELS filed a series of legal actions against Security Protocol 943/2023, commonly known as the anti-picket protocol, which criminalised protest involving street blockades.¹¹ In parallel, CELS appeared as amicus curae (non-party with interest) in cases of demonstrators detained during protest and is representing four people who were injured by less-lethal weapons and arbitrarily detained. CELS is, additionally, representing journalists who were victims of police violence while reporting on mass mobilisation. They asked the judiciary to investigate the actions of the security forces and those of the Ministry of Security's officials,¹² who ordered the repressive operation, and catalysed international hearings through the IACHR and UN mechanisms.^{13,14}
- Expanding civic participation in constitutional litigation. In late 2024, CELS secured a federal court ruling allowing for a public call for citizens, non-governmental organisations (NGOs), unions, Indigenous communities, and others affected by protest restrictions to participate in a legal challenge related to protest repression. This resulted in hundreds joining the challenge, strengthening procedural transparency and civil society's role in judicial processes.¹⁵





- Access to information and intelligence system transparency. CELS filed legal proceedings demanding transparency over intelligence operations, resulting in a precedent-setting ruling that restricted the scope of intelligence secrecy.¹⁶ It also filed a criminal complaint against the Argentinian intelligence services for authorising unlawful surveillance,¹⁷ and is currently litigating against Emergency Decree 614/2024, which expands state cyber surveillance without congressional oversight. Following the CELS position, the judge in charge decided that the matters discussed in the case should be open to the public and not secret as requested by the Argentinian intelligence agency.¹⁸
- Seeking justice for historic human rights violations. CELS has a lengthy track record of challenging human rights violations. It continues to pursue justice for dictatorship era (1976-83) crimes, including by working on behalf of victims as a continuation of the work of truth trials.¹⁹ More recently, it secured a 2024 Supreme Court ruling affirming criminal responsibility of former government officials for deadly police repression of unrest in 2001, which took place during a democratic period.²⁰
- Protecting digital freedom of expression. In 2024, CELS acted as amicus curae and provided legal strategy advice in defence of university professor Nahuel Morandini, who was imprisoned for nearly two months for posting on social media. CELS raised the profile of the case, presenting information to the IACHR and the UN related to the criminalisation of online dissent and the right to digital expression.²¹

These results demonstrate that CELS's litigation has prevented or reversed executive overreach, safeguarded civic rights, and generated structural accountability. Further, its model integrates legal action with investigative research, communications, and policy advocacy – ensuring that litigation delivers systemic impact, not just courtroom victories.

CELS's far-reaching networks and influence

Significantly, CELS does not litigate in isolation: it typically leads strategic litigation through case-specific alliances with other civil society organisations, unions, and social movements, combining its legal expertise with the legitimacy and grassroots experience of its partners. This collaborative model is central across CELS's thematic work.

On social protest, CELS works closely with Amnesty International Argentina and labour unions to challenge the criminalisation of protest and defend freedom of assembly. In a collective legal challenge to Security Protocol 943/2023, the coalition expanded to include Indigenous organisations and journalists' associations. In March 2025, CELS, Amnesty Argentina, and the journalists' union *Sindicato de Prensa de Buenos Aires* (Buenos Aires Press Union) submitted a motion for a provisional remedy to the courts in response to police violence against journalists covering protests. The court sent an observation team to monitor demonstrations, signalling increased judicial oversight of policing in these contexts.²²

In litigation on crimes against humanity, it partners with organisations such as Abuelas de Plaza de Mayo and H.I.J.O.S. (organisations formed by the grandmothers and children of the victims of the dictatorship), drawing on decades of joint leadership in the transitional justice movement.

In criminal justice and detention reform, CELS collaborates with the *Instituto de Estudios Comparados en Ciencias Penales* y Sociales (Institute for Comparative Studies in Criminal and Social Sciences) to advance rights protections in contexts of incarceration and institutional violence, especially in response to state overreach and emergency policing measures.



In defending Indigenous rights, CELS forms political alliances with Indigenous communities, including the Mbyá Guaraní people,²³ the Millalonco-Ranquehue Mapuche community,²⁴ the Indigenous Consultative Council of Río Negro (with whom they have a Supreme Court case pending), and the Lhaka Honhat Association of Aboriginal Communities, combining legal strategy with community representation and elevating these cases to international litigation plateaus. These alliances were essential in the 2020 Lhaka Honhat case, where the Inter-American Court of Human Rights ordered Argentina to return 4,000 km² of ancestral territory to Indigenous communities.²⁵

'CELS acts not only as a legal strategist but also as a convening force within Argentina's civic ecosystem.'

On digital rights and surveillance, CELS joined forces in 2024 with Amnesty International Argentina and organisations focused on digital rights and democracy (Observatorio de Derecho Informático Argentino, Democracia en Red, Access Now, Fundación Vía Libre, and Instituto Latinoamericano de Seguridad y Democracia) to file a transparency request concerning the government's new Artificial Intelligence Unit. The coalition raised alarms about algorithmic profiling, predictive policing, and mass surveillance, pushing back against unchecked executive powers in the digital sphere.²⁶

Through these partnerships, CELS ensures that its legal interventions are technically rigorous and informed by the lived experiences of affected communities. It thus acts not only as a legal strategist but also as a convening force within Argentina's civic ecosystem – reinforcing shared ownership, democratic legitimacy, and systemic impact.



CELS's work with transnational bodies

Through coordinated legal work and advocacy, CELS has demonstrated its ability to mobilise international oversight, bringing cases to the attention of regional bodies and the UN. It has escalated cases to transnational justice mechanisms, as shown in the Lhaka Honhat case and in the 2024 case regarding the deadly 1994 bombing of a Jewish community centre in Buenos Aires, where the court mandated structural reforms to Argentina's intelligence system.²⁷

CELS's legal arguments and case precedents are cited by international courts, and the organisation is a trusted actor among peer civil society organisations and leading global funders. By escalating select cases to international bodies, CELS raises the diplomatic cost of domestic repression, reinforcing both domestic rule of law and international human rights standards.

CELS regularly contributes to proceedings before IACHR and engages directly with UN Special Rapporteurs and UN Human Rights Council mechanisms. It has raised numerous issues with these bodies since the Milei administration took office. In 2024, it submitted 18 requests to the IACHR, asking the body to address with the Argentine government issues including the persecution and criminalisation of protest, attacks on freedom of expression, and the weakening of institutional protections.

In 2025, it made a formal presentation to the IACHR and the Special Rapporteur for Freedom of Expression on the deregulation of media ownership, government intervention in public media, and repression of journalists during protests, together with press unions and media organisations. It also submitted evidence on the erosion of Indigenous rights and the rollback of gender equality policies.

These coordinated actions prompted the IACHR to issue four public statements on Argentina and convene five thematic hearings between July 2024 and March 2025, CELS participated in each, alongside national allies, addressing social protest repression, transitional justice setbacks, gender-based violence, reduced legal protections for refugees and asylum seekers, and the impact of austerity measures on economic and social rights.

These actions not only increased international scrutiny but also strengthened the position of domestic civil society actors by validating their concerns and placing pressure on the Argentine government to uphold its human rights obligations. CELS is a member of multiple international networks, including the International Network of Civil Liberties Organizations, the World Organisation Against Torture, and the International Federation for Human Rights. Widely recognised by peers, funders, and legal institutions and deeply embedded in national, regional, and international networks, it is regarded as Argentina's anchor institution for strategic litigation and a model for democratic defence across Latin America.

'CELS is regarded as Argentina's anchor institution for strategic litigation and a model for democratic defence across Latin America.'

CELS's strategic litigation work generates impact across multiple dimensions of democratic resilience. While court victories contribute to norm-setting by reinforcing constitutional limits on executive power and reasserting judicial independence as a cornerstone of democratic governance, CELS's litigation is embedded in broader campaigns that amplify the visibility of rights violations and mobilise public support, thereby enhancing democratic accountability. Public engagement strengthens the legitimacy of legal actions and increases pressure on the judiciary to act.



CELS's litigation and legal defence unit

CELS has the largest strategic litigation team among peer organisations in Argentina, with seven full-time lawyers in its dedicated litigation unit and 18 across the organisation. It is supported by experts in communications, research, policy analysis, and advocacy. The unit focuses on human rights violations, access to information, and analysis of legal, justice system, and regulatory reforms. The unit translates these priorities into legal actions, coordinating cross-organisationally to build robust, precedent-setting cases.

This organisational structure enables investigative lawyering (which combines legal expertise with rigorous fact-finding and research methods to uncover systemic rights violations and build evidence-based cases), influential publications, and public campaigns that amplify litigation's impact. The organisation is led by an experienced executive team, including the head of its strategic litigation unit, with deep expertise in human rights and justice.



7 June 2024: Photojournalists in Buenos Aires protest the closure of Télam news agency by the government of President Javier Milei. Credit Image: picture alliance / ZUMAPRESS.com | Santiago Oroz

Theory of change: Support CELS's work to advance Argentine democracy

Donor support for CELS's strategic litigation will ensure that the Milei administration is held accountable for its violations. Regardless of whether CELS wins a given case, it is upholding important democratic norms of accountability by filing cases against repressive government actions. And its impact on Argentinian democratic norms is even more significant when CELS wins and protects the fundamental rights of journalists, activists, and reformers.



Donors provide CELS with the funding it needs to identify, research, and pursue legal cases in support of the civil liberties and fundamental rights that are under threat by the Milei administration.

CELS uses these funds to identify unconstitutional attacks by the government on civic space and on democratic institutions and norms; conducting research to find the optimal legal strategy to defend them. It then sues the government to hold it accountable and, when possible, restore fundamental rights and counter the erosion of norms. The effectiveness of this model is amplified by integrated activities such as targeted research, public education, and coalition-building.

18 research, public education, and coalition-building. 19

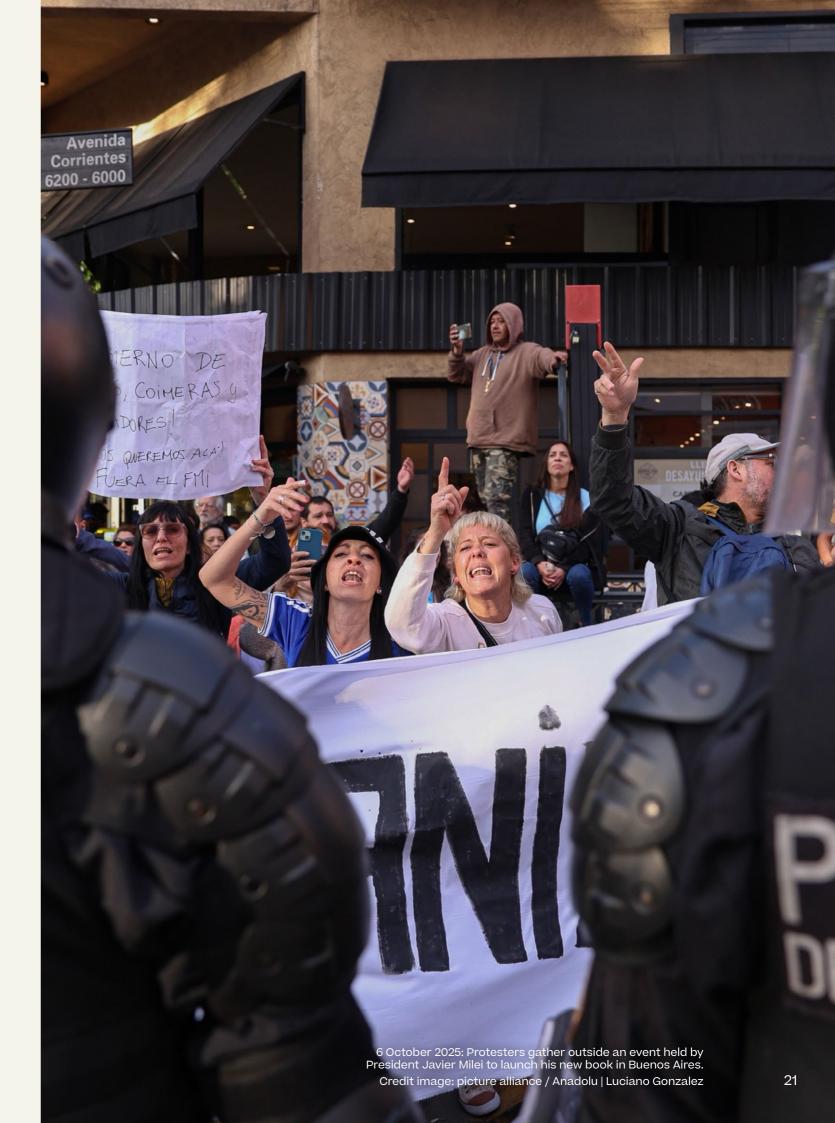
Expected outcomes

Litigation by CELS can lead to court rulings that constrain authoritarian measures, protect fundamental rights, and establish legal precedents. Even in the absence of such rulings, litigation increases the administrative and reputational costs to the government's crackdown on civil society and normalises challenges to unconstitutional government actions. These signals of resistance from civil society also create legal baselines that democratic actors can build upon in future.

By bringing lawsuits against the government when it cracks down on civil liberties, CELS is reinforcing institutional accountability, a norm necessary for a healthy democracy. When the judiciary rules in favour of civic actors, it sets a precedent, enhancing the civic space throughout the country and into the future. These precedents, in turn, create systemic protections for entire categories of rights-holders, such as protesters, journalists, and marginalised communities. For example, by challenging protest protocols or surveillance decrees, CELS not only protects individuals but establishes legal barriers against future repression.

The success of the theory of change rests on several key assumptions, including that courts retain sufficient independence and authority to act as effective checks on executive power. It also presumes that legal victories, particularly those that are precedent-setting, have the power to constrain future authoritarian actions by institutionalising protective norms.

Given the current democratic erosion in Argentina, the cost of inaction is high. In this context, CELS's ability to sustain and expand its integrated strategic litigation model remains one of the most effective and tractable strategies to constrain executive power, uphold legal standards, and safeguard civic space.





Funding gap and use of funds

CELS is facing a surge in legal demand as it works to counteract democratic deterioration under the Milei administration: in 2024 and 2025, the number of cases it handled annually increased by 50 per cent to approximately 150. Its existing staff and resources, however, are insufficient to continue this volume of work. CELS faces a funding shortfall of around €280,000, driven by the increase in litigation demands and a corresponding rise in operational costs and resource needs. An important factor in this shortfall is that much traditional pro-democracy funding has not been designed to support direct legal action, and the recent retreat of United States-based funders from regional engagement has reduced the pool of available flexible resources.

Donor support will directly strengthen CELS's ability to respond to Argentina's deepening democratic crisis by strengthening its strategic litigation unit at a time of intensifying authoritarian pressure. With full support, the funds will be allocated as follows in 2026–2027:



~€183,000

Salaries for seven full-time lawyers in CELS's litigation and legal defence unit (one additional hire):



~€42,000

Salaries for support staff (communications and mental health expert, and parttime contributions from the executive director):



~€2,500

Attorney registration fees in the City and Province of Buenos Aires:



~**€11,000**

National travel for lawyers to support litigation:



6,100 أ

National travel to support allies involved in litigation:



International travel for key cases and advocacy:



~€15,200

Proportional overhead and institutional costs:

With donor support, CELS will be able to:

sustain, retain, and expand its litigation and legal defence unit to meet the increased demand for legal defence since President Milei's government took office initiate and pursue highimpact litigation nationally and internationally, including urgent actions to halt rights-eroding decrees and executive overreach

further integrate CELS's legal actions with its communication campaigns, advocacy, and research (including legal and regulatory reform analysis) to ensure coordinated, systemwide impact collaborate with other organisations' litigation efforts beyond Buenos Aires, reaching underserved areas

escalate cases to regional and international human rights mechanisms to generate binding precedents and raise international pressure support training and capacity-building internally through ongoing professional development for litigation staff as well as externally, through legal clinics with law students on pro-democracy and human rights-centred litigation

CELS will, additionally, invest in long-term institutional learning, including the systematisation of over 20 years of litigation data, which will enhance internal legal strategy and inform the broader field of rights-based legal advocacy.

In the meantime, CELS will continue to deploy strategic litigation to suspend unconstitutional decrees and halt repressive security measures introduced by the Milei administration. Through these efforts, CELS defends fundamental rights, protects vulnerable groups, and counters the broader democratic erosion that threatens Argentina's civic space.

CELS seeks to establish binding legal precedents in the coming years that reinforce the separation of powers, uphold constitutional protections, and increase the political and legal costs of authoritarian overreach, bolstering institutional resilience against future threats.

With a long-term goal of helping to fortify Argentina's democratic infrastructure by strengthening the judiciary's role as an independent check on power and safeguarding democratic institutions through durable legal outcomes, CELS also seeks to develop replicable strategies that can be applied across the region, offering a model for democratic legal resistance in similarly vulnerable contexts.

CELS offers a highly cost-efficient model for democratic defence in Argentina. Its dedicated litigation team has stepped up its volume of cases to counter the anti-democratic moves of the Milei administration, handling around 150 active cases in 2025 alone. Efficiency is amplified by CELS's integrated model, which ensures that each legal action delivers outcomes well beyond the courtroom. Many cases have precedent-setting potential, producing binding rulings and institutional reforms that shape legal frameworks, curb authoritarian overreach, and protect broad categories of rights-holders.

Funding CELS will sustain and expand strategic litigation as a primary means of defending democratic institutions, civic space, and fundamental rights in Argentina. With the 2026–2027 period likely to determine the country's democratic and institutional trajectory, CELS is positioned to scale its litigation efforts, leveraging its unique capacity, partnerships, and proven track record. This investment offers donors a tangible, high-impact opportunity to reinforce democratic institutions and rule of law in Argentina at a pivotal moment.





Risks and mitigation

The primary risk facing CELS is the potential escalation of authoritarian attacks on civil society and further erosion of checks and balances under the Milei administration. This includes increased legal harassment, restrictions on civil society operations, and institutional efforts to delegitimise or isolate independent human rights actors. Strategic and operational risks also include delays or obstruction in domestic courts and potential surveillance of or reprisals against staff or partner organisations.

CELS has proactively developed a multi-layered mitigation strategy. It implements strong physical and digital security protocols for staff and distributes litigation responsibilities to avoid overexposure of individual lawyers. Its strategy to anchor litigation within broad-based coalitions reduces its exposure to targeted backlash. An additional asset in mitigating attacks is CELS's extensive network of international allies, which provides solidarity, visibility, and support in times of heightened risk.

Finally, its international approach ensures that if national courts are captured or compromised, cases can be escalated to the inter-American or UN human rights systems, protecting the integrity and enforceability of its work. Financially, CELS maintains full transparency, publishing donor information online, and undergoing annual external audits. It is politically independent and receives no Argentinian state funding, reinforcing its institutional credibility.

Due to CELS' current combination of risk profile and risk mitigation strategy, Power for Democracies believes that funding this initiative will lead to relatively low additional risk and has a high potential for positive impact on Argentina's democratic trajectory.

Follow-up and learning plans

Power for Democracies is committed to ensuring that the resources allocated because of our recommendations are used effectively. CELS will closely monitor implementation activities and track progress against key performance indicators for this recommendation. These include:

Litigation and legal outcomes

Number of new cases initiated in response to authoritarian decrees or rights violations

Number and type of precedent-setting rulings achieved at national or international levels

Percentage of cases resulting in positive judicial outcomes (e.g. suspension of unconstitutional decrees, protective injunctions) Number of cases escalated to the inter-American system or UN mechanisms



Advocacy and outreach

Number and examples of coordinated communication campaigns linked to litigation outcomes to the general public

Number of advocacy or coalition initiatives supported in and outside Buenos Aires Number of legal clinics or external training programmes conducted for students and practitioners

Institutional learning and impact

Completion and systematisation of 20+ years of litigation data

Regular updates to donors will be published for this recommendation, tracking progress on these outputs. If feasible, Power for Democracies will collaborate with CELS to design a more rigorous evaluation approach to assess outcomes and impact. The monitoring, learning, and evaluation insights derived from this initiative will feed directly into future donor recommendations – helping refine strategies, identify best practices, and ensure that subsequent investments are grounded in evidence and experience.

Conclusion and recommendation

CELS is the most capable and credible civil society organisation defending democracy through strategic litigation in Argentina today. With a proven record, deep institutional knowledge, and unmatched legal capacity, it is uniquely positioned to counter the Milei administration's authoritarian agenda.

The years 2026–2027 are consequential, and failing to fund CELS now risks losing one of the most effective legal counterweights to democratic erosion in the region. We recommend a funding commitment in the range of €280,000, aligned with CELS's documented shortfall and strategic expansion plans.

This investment will directly enable precedent-setting litigation, protect civic space, and uphold institutional checks and balances. The opportunity cost of inaction is high; timely support to CELS is both urgent and impactful.



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